



## ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

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### ALAMEDA COUNTY TECHNICAL ADVISORY COMMITTEE

#### MEETING NOTICE

#### NOTE CHANGE IN TIME

Tuesday, May 2, 2006 1:30 p.m.  
CMA Offices – Board Room  
1333 Broadway, Suite 220  
Oakland, CA 94612  
(See map on reverse side)

Chairperson: Dennis R. Fay  
Staff Liaison: Frank R. Furger  
Secretary: Claudia Magadan

#### AGENDA

*Copies of individual Agenda Items are available on the CMA's Website*

#### 1.0 PUBLIC COMMENT

Members of the public may address the Committee during "Public Comment" on any item not on the agenda. Public comment on an agenda item will be heard when that item is before the Committee. Anyone wishing to comment should make his or her desire known to the Chair.

#### 2.0 CONSENT CALENDAR (+) Acceptance

1:30 p.m.

##### 2.1 Minutes of April 4 2006\* (page 1)

Action

##### 2.2 Deputy Directors' Report\* (page 7)

Information

##### 2.3 Transportation Fund for Clean Air (TFCA) Program Extension Request:

Discussion/Action

##### 2.3.1 City of Fremont – CNG Refueling Station (03ALA07)\* (page 15)

ACTAC is requested to take action on the City of Fremont request for an extension to the expenditure deadline for the CNG Refueling Station project funded by the TFCA Program Manager Funds. The request would extend the expenditure deadline from May 25, 2006 to November 25, 2006.

##### 2.3.2 LAVTA – ACE Shuttles (03ALA15)\* (page 17)

Discussion/Action

ACTAC is requested to take action on the LAVTA request for an extension to the expenditure deadline for the ACE Shuttle project funded by the TFCA Program Manager Funds. The request would extend the expenditure deadline from June 30, 2006 to September 30, 2007.

##### 2.3.3 CMA – Guaranteed Ride Home Program (03ALA13)\* (page 19)

Discussion/Action

ACTAC is requested to take action on the CMA request for an extension to the expenditure deadline for the Guaranteed Ride Home Program funded by the TFCA Program Manager Funds. The request would extend the expenditure deadline from June 30, 2006 to December 31, 2006.

**3.0 ACTION ITEMS****3.1 Coordinated Programming\*\*****Discussion/Action**

The CMA released a request for information (RFI) and received proposals for a Coordinated Program that would include TFCA eligible projects and Bicycle/Pedestrian capital projects. Staff will provide additional information at the meeting including a proposal for projects that can be programmed with 2006/07 CMAQ funds.

**3.2 2006 State Transportation Improvement Program (STIP):  
Amendments for the Final Program of Projects\*\*****Discussion/Action**

The CTC is scheduled to approve the 2006 STIP on April 27<sup>th</sup>. Staff will report to the ACTAC on the final 2006 STIP and any follow up actions that may be required. Additional information will be available at the meeting.

**3.3 East Bay SMART Corridors Program: Alameda County Incident Management Plan  
(Updated)\* (page 21)****Discussion/Action**

The Alameda County Fire Department (ACFD) has requested the assistance from CMA to administer and implement a grant for Incident Management provided by the Department of Homeland Security in the amount of \$612,000. This grant requires a local match of \$153,129. CMA Staff is working with the county on a strategy to secure the local match. The CMA has recently completed an incident management project with a similar scope for the ACFD and other local fire departments. ACTAC at its April 4, 2006 meeting recommended that the \$153,129 match be provided through the programming of CMAQ funds available from a previous TFCA exchange. It was also recommended that the Alameda County pay for 50% of the match and the cities benefiting from the project to pay their share based on the number of vehicles participating from their cities.

**3.4 Guaranteed Ride Home: Annual Evaluation Report\* (page 23)****Discussion/Action**

The Committee is requested to accept the Draft 2006 Annual Evaluation Report posted on the CMA website for the Guaranteed Ride Home Program and approve the recommendations for next year's program. It is recommended that next year the program, 1) continues operating as is, including marketing, employee and employer surveys and monitoring the taxi and car rental programs, 2) update the website to make information and materials easier for users and create a separate section for employers, 3) require that all non-emergency trips of 50 miles or more (during the car rental company's business hours) use the rental car service and consider decreasing the eligibility requirement for employers from 100 to 75 employees, and 4) organize a Rental Car and Instant Enrollment Marketing Campaign.

**3.5 West Oakland Community Based Transportation Plan\* (page 41)****Discussion/Action**

It is recommended that the Board accept the attached West Oakland Community Based Transportation Plan. It is based on conducting a series of community meetings and distributing surveys to confirm transportation needs and develop solutions to meet those needs, as well as estimate costs, potential funds sources, and project sponsors. This area was selected by MTC as one of five pilot projects in Alameda County to focus on meeting the needs of low income communities and prepare the results in a Community Based Transportation Plan. CMA staff will make a presentation about the results of the community outreach to date and will ask ACTAC for input for accuracy. The final plan will go to the CMA Board for approval.

**4.0 NON-ACTION ITEMS****4.1 State Transportation Improvement Program (STIP) Program:  
Timely Use of Funds Report\*\*****Information/Discussion**

ACTAC is requested to review and confirm the project specific information included in the report. Updates to the project information should be faxed to the ACCMA to the attention of the project monitoring team. Project sponsors are requested to provide documentation related to the status of the required activities shown on the report by May 12, 2006. This information will be the basis of the At Risk Report brought to the committees and

the Board in June, 2006. Due to the scheduled April 27<sup>th</sup> CTC vote on the 2006 STIP, the report will be handed out at the meeting.

#### **4.2 Federal STP/CMAQ Program:**

##### **4.2.1 Timely Use of Funds Report\* (page 57)**

##### **Information/Discussion**

Attached is a listing of the locally sponsored STP/CMAQ projects segregated by sponsor. ACTAC is requested to review and confirm the project specific information included in the report. Updates to the project information should be faxed to the ACCMA to the attention of the project monitoring team. Project sponsors are requested to provide documentation related to the status of the required activities shown on the report by May 12, 2006. This information will be the basis of the At Risk Report brought to the committees and the Board in June, 2006.

##### **4.2.2 Inactive Projects\* (page 67)**

##### **Information/Discussion**

The ACTAC is requested to review the attached information related to projects identified as “inactive” by the FHWA and Caltrans, and to follow up with the appropriate project personnel to ensure that the requested information is provided to Caltrans Local Assistance (District 4 – Oakland) by May 17, 2006.

##### **4.3 DBE Time Line and Race-neutral DBE Program\* (page 75)**

##### **Information/Discussion**

The ACTAC is requested to review the attached information related to the Caltrans proposal to revise the Disadvantaged Business Enterprise program from a race-conscious to a race-neutral policy.

#### **4.4 Coordinated Bike/Pedestrian Program: Schedule for Additional Programming\*\***

##### **Information/Discussion**

CMA and ACTIA are proposing to have a coordinated programming effort to distribute ACTIA Measure Bicycle/Pedestrian Discretionary Funds and CMA Regional Bicycle/Pedestrian Program funds, as well as any additional CMAQ (formerly TFCA) that is not programmed in FY 2006/07 under agenda item 3.1. The committee is requested to review and comment on the proposed schedule for the programming. The schedule will be available at the meeting.

##### **4.5 Quarterly Update for the Land Use Analysis Program Element of the Congestion Management Program\* (page 93)**

##### **Information/Discussion**

The attached listing of projects is for the purpose of the quarterly update for the Land Use Analysis Program element of the Congestion Management Program (CMP). The adopted CMP requires that the Land Use Analysis Program be carried out as part of the annual conformity process. The quarterly update of the Land Use Analysis Program Tier 1 requirements helps us ensure that the jurisdictions are in conformance. ACTAC is requested to review the attached spreadsheet and 1) Make sure that all of your projects are included, 2) If any project is complete inform us to change the status, 3) Confirm that the information presented is accurate. The deadline for input to CMA is May 23, 2006.

## **5.0 LEGISLATION ITEMS**

There are no reports this month.

## **6.0 OTHER BUSINESS/ADJOURNMENT**

**NEXT MEETING:** June 6, 2006 CMA Office, 1333 Broadway, Suite 220, Oakland, CA 94612.

(#) All items on the agenda are subject to action and/or change by ACTAC.

(+) At the meeting CMA staff will not review the contents of written communications included in the Consent Calendar. Acceptance of the Consent Calendar implies understanding of its contents and approval of items, as appropriate. You are encouraged to read the materials in advance of the meeting.

\* Attachments enclosed.

\*\* Materials will be available at the meeting.

✓ Materials are enclosed as a separate attachment to the agenda.

***PLEASE DO NOT WEAR SCENTED PRODUCTS SO INDIVIDUALS WITH ENVIRONMENTAL  
SENSITIVITIES MAY ATTEND.***

ALAMEDA COUNTY TECHNICAL ADVISORY COMMITTEE  
MINUTES OF APRIL 4, 2006  
OAKLAND, CA

**1.0 PUBLIC COMMENT**

There was no public comment.

**2.0 CONSENT CALENDAR**

**2.1 Minutes of March 7, 2006**

**2.2 Deputy Directors' Report**

Suthanthira reported to the ACTAC regarding the 2006 LOS Monitoring Program and requested the jurisdictions to provide bike counts at twelve locations across the county as they did for prior LOS Monitoring Studies. Request for bike counts will be sent out before April 7, 2006. A motion was made by Carmichael-Hart to approve the consent calendar; Odumade made a second. The motion passed unanimously.

**3.0 FUNDING PROGRAM AND PROJECT DELIVERY CMP/CWTP/RTP ACTION ITEMS**

Staff recommended moving to **Agenda Item 3.5**. The Committee agreed.

**3.5 Reschedule July ACTAC Meeting**

The ACTAC Committee agreed to reschedule the Tuesday, July 4, 2006 ACTAC meeting to Tuesday, July 11, 2006. A motion was made by O'Hare to approve this action; Odumade made a second. The motion passed unanimously.

**3.6 2006 State Transportation Improvement Program (STIP):  
Amendments for the Final Program of Projects**

Furger reported that CMA staff is working with MTC and CTC staff to incorporate the adjustments into the 2006 STIP. Ross McKeown of MTC reported that there may be additional amendments may be required prior to or after the adoption of the 2006 STIP. ACTAC was requested to recommend removing \$9 million from the I-580 project in 09/10, removing the \$5.877 million dollar I-580 Soundwall project, and moving the \$17.009 million I-580 project from 06/07 to 07/08. ACTAC was also requested to recommend that an AC Transit bus purchase project be amended in to the STIP in 06/07. This would include \$14million in PTA funds, in place of the \$9 million from the I-580 project and \$5 million from the I-580 Soundwall project. A motion was made by Carmichael-Hart to approve this action; Cooke made a second. The motion passed unanimously.

Staff recommended moving to **Agenda Item 3.4**. The Committee agreed.

**3.4 East Bay SMART Corridors Program: Alameda County Incident Management Plan**

Minoofar informed ACTAC that the Alameda County Fire Department (ACFD) has requested the assistance from CMA to administer and implement a grant provided by the Department of Homeland Security in the amount of \$612,000. This grant requires a local match of \$153,129. Minoofar stated that the CMA Staff was working with the county on a strategy to secure the local match and that the CMA had recently completed an incident management project with a similar scope for the ACFD and other local fire departments. Assistant Chief James Purchio of the Alameda County Fire Department was available for questions and answers. A motion was made by Odumade to approve that the total amount come from the CMAQ exchange with the Alameda County paying for 50% of the match, and the cities benefiting from the project paying the remaining 50% based on the number of

units of vehicles in the project; Cooke made a second. The motion passed unanimously. ACTAC requested that the staff bring back the number of units of each agency to determine the exact amount of CMAQ share.

Staff recommended moving to **Agenda Item 3.7**. The Committee agreed.

### **3.7 Transportation Fund for Clean Air (TFCA): Exchange Proposal**

Todd informed ACTAC that the MTC staff has contacted CMA staff regarding the exchange of additional TFCA funds for CMAQ funds. He informed them that MTC and the Air District are partnering in a \$2.25 million joint MTC-BAAQMD-Port of Oakland Truck Replacement Program. CMAQ funds are not eligible to fund approximately \$2 million of this project, and that the TFCA funds could be used for the \$2 million component of this project. He stated that the CMA's TFCA program has approximately \$1 million of programming capacity in FY 2007/08 as well as additional capacity in future program years that may meet MTC's requirements for a proposed exchange for CMAQ funds. A motion was made by Carmichael-Hart to approve the recommendation of the \$2 million in exchange for this action; Cooke made a second. The motion passed unanimously.

Staff recommended moving to **Agenda Item 3.3**. The Committee agreed.

### **3.3 East Bay SMART Corridors Program: Strategy to fund Operations and Maintenance (O&M) Activities**

Minoofar requested ACTAC to take an action on the SMART Corridors Operating and Maintenance Funding Plan to sustain the system until June 30, 2007. The motion requested was to adopt the funding plan that calls for a cost distribution as shown on page 23 for the cities contribution from CMAQ exchange, and the CMA's contribution to come out of the CMA TIP and a letter to MTC requesting more money. It was also requested that this item be revisited in the future. A motion was made by O'Hare to approve to approve this action; Van Dyke made a second. There was one abstention made by Carmichael-Hart.

Staff recommended moving to **Agenda Item 3.2**. The Committee agreed.

### **3.2 Coordinated Programming**

Todd informed ACTAC that based on discussion at the March ACTAC meeting, CMA staff released a request for information (RFI) for a Coordinated Program that would include TFCA eligible projects and Bicycle/Pedestrian capital projects. The information received from the RFI will provide a better understanding of the projects under consideration and allow staff to provide a recommendation for the timing of a call for projects. The RFI material was due to the CMA on March 31<sup>st</sup>. Todd advised the committee members that staff will allow additional RFI submittals if the initial deadline was not met. Comments are due by April 7, 2006. This item was presented for information only.

Staff recommended moving to **Agenda Item 3.1**. The Committee agreed.

### **3.1 TFCA Program: Quarterly at Risk Report**

Annie Young of The Project Delivery Management Group requested ACTAC to review and approve the attached Quarterly At Risk report for local projects programmed in the TFCA Program. A motion was made by Carmichael-Hart to approve to approve this action; O'Hare made a second. The motion passed unanimously.

## **4.0 NON-ACTION ITEMS**

Staff recommended moving to **Agenda Item 4.6**. The Committee agreed.

#### **4.6 Countywide Travel Model Update – Comments on Land Use Data review**

Suthanthira updated ACTAC about the Countywide Model Update. She informed the committee that the jurisdictions are in the process of reviewing the ABAG Projections 2005 land use data consistent with the CMP Tier 2 Land Use Analysis Program. The due date for comments to the CMA was March 3, 2006. So far comments were received from Alameda, Albany, Dublin, Emeryville, Fremont, Livermore, Newark and Union City. She also stated that the remaining jurisdictions have indicated that they are in the process of completing their reallocations, except for San Leandro, Piedmont and Pleasanton who have submitted letters to the CMA stating that the ABAG Projections are too high. Comments are due from the remaining jurisdictions as follows: for Existing Years 2000 and 2005 – April 7, 2006 and for Future Years 2015 and 2030 – April 21, 2006. The committee was informed that if comments are not received by the new deadlines, the CMA will proceed to the next step and assume that the jurisdictions agree with the data sent out through our memorandum dated December 22, 2005. She informed them that any further delay will adversely impact the schedule and budget of the project. She also informed the committee that the CMA has scheduled a meeting with ABAG, MTC and the jurisdictions on April 6<sup>th</sup> at 1pm at the CMA offices to discuss the issues on ABAG's Projections for a more acceptable P2007.

Staff recommended moving to **Agenda Item 4.3**. The Committee agreed.

#### **4.3 Traffic Impact Mitigation Fee Feasibility Study**

Stark requested the committee to review and provide input on the draft outline, scope and survey for the Traffic Impact/Mitigation Fee Feasibility Study. MTC requested CMA to reinvestigate the Traffic Impact/Mitigation fee as part of the Transportation and Land Use Program (T Plus) work scope and that the study is an update of CMA's 1996 Areawide Traffic Impact Mitigation Fee Feasibility Study. This item was presented for information only. A Task Force consisting of Tina Spencer, AC Transit; Keith Cook, San Leandro; Roxy Carmichael Hart, Hayward and Matt Nichols, Berkeley to provide input to the effort.

#### **4.1 State Transportation Improvement Program (STIP) Program: Timely Use of Funds Report**

Information for this item is coming back for an action next month. The information was available in the ACTAC packet.

#### **4.2 Federal STP/CMAQ Program: Timely Use of Funds Report**

This was an information item. This item will be brought back for an action next month.

Staff recommended moving to **Agenda Item 4.4**. The Committee agreed.

#### **4.4 2007 TIP Development Process**

Jacki Taylor of Advance Project Delivery noted that the 2007 TIP information was requested to be reviewed and updated by Monday, April 3, 2006 She requested that any additional responses be submitted ASAP. The item was for information only.

#### **4.5 Transit Oriented Development Quarterly Report**

Stark reviewed the Transit Oriented Development (TOD) Quarterly Fund Monitoring Report and status of TOD projects. The report provides project and funding status of eight Transit Oriented Development projects identified in the Countywide Transportation Plan: MacArthur, W. Oakland, Oakland Coliseum, Ashby/Ed Roberts Campus, San Leandro, Union City, and Warm Springs. This item was for information only.

### **5.0 LEGISLATION ITEMS**

Fay informed ACTAC to check their in boxes to look at the Positions of the Legislation items that have been recommend. This item was for information only.

**6.0 OTHER BUSINESS/ADJOURNMENT**

**NEXT MEETING: - June 6, 2006, CMA Office, 1333 Broadway, Suite 220, Oakland, CA 94612.**

Attest By:

\_\_\_\_\_  
Claudia Magadan, Secretary





ALAMEDA COUNTY  
CONGESTION MANAGEMENT AGENCY

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ALAMEDA COUNTY TECHNICAL ADVISORY COMMITTEE

APRIL 4, 2006

ROSTER OF MEETING ATTENDANCE  
CMA BOARD ROOM, OAKLAND, CALIFORNIA

NAME	JURISDICTION/ ORGANIZATION	PHONE #	E-MAIL
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4. Stefan Garcia	Staff		
5. Rochelle Wheeler	ACTIA	510-267-6121	rwheeler@actia2022.com
6. Matt Nichols	Berkeley	981-7068	mnichols@ci.berkeley.ca.us
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13. Dennis Day	"	"	
14. Hall Hart	"		
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17. Cyrus Minofar	"		
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May 2, 2006  
Agenda Item 2.2

Memorandum

Date: April 21, 2006  
To: ACTAC Committee  
From: Jean Hart, Deputy Director  
Frank Furger, Deputy Director  
Subject: Deputy Director's Report

**Countywide Bicycle Plan Update** – The next Bicycle Plan Update Workshop is on May 2nd at 11:30 a.m. before the ACTAC meeting. At this meeting, the group will discuss high priority projects and the financially constrained networks for capital projects and review the Draft Report and maps.

**Central Alameda County Freeway System Operational Analysis** – On December 8, 2005, ACTA adopted Amendment No. 1 to the 1986 Alameda County Transportation Expenditure Plan for the Replacement Project of the Route 238 Hayward Bypass. The Expenditure Plan Amendment replaces the Route 238 Hayward Bypass portion of the larger Route 238 and Route 84 Project with a program of projects and actions intended to relieve congestion in Central County in the same corridors that would have been affected by the Hayward Bypass. The ACCMA was identified as the lead in one of the projects: the Central Alameda County Freeway System Operational Analysis. Staff has been working with the TAC to develop a scope of work and Request For Proposal (RFP). The TAC is comprised of representatives from Caltrans, ACTA, the cities of San Leandro and Hayward, Alameda County as well as MTC and the City of Union City. An RFP was released on April 7<sup>th</sup> and proposals are due May 5<sup>th</sup>. The ACCMA intends to retain consulting services to perform the operational analysis, which will identify a prioritized list of short and long range transportation improvements in the corridors to provide congestion relief. The study is anticipated to begin in July 2006 and take one year to complete. The funding for this study is contingent on approval of an agreement with ACTA, which is anticipated by July 2006.

**MTC's Lifeline Transportation Program** – CMA and ACTIA issued a joint Call for Projects for the Lifeline Transportation Program on March 1, 2006. The \$4.9 million grant program will fund innovative and flexible projects that address transportation

barriers for low income communities in Alameda County. Applications are due April 28, 2006.

**I-880 Corridor System Management Study** – Caltrans' consultants presented the preliminary findings of the study in terms of congested bottlenecks and potential causes of congestion along with a draft list of projects that will be used for performance evaluation to the CMA Board on January 23, 2006. The next steps are to identify complete corridor improvements and develop priorities and a sequencing plan using the microsimulation model.

**North I-880 Operations and Safety Project** – The expenditure plan for Regional Measure 2 included funding for projects identified in the North I-880 Study. RM2 funds were allocated for improvements at Northbound I-880 at 29<sup>th</sup> Ave. A meeting with the general public was held in mid January to review the project and design concept. The concept was accepted with overall support. A preliminary environmental assessment report (PEAR) has been submitted to Caltrans.

**San Pablo Rapid Bus Stop Improvements** - The CMA will be taking the lead in implementing approximately \$2.2 million in improvements to the Rapid Bus stops funded through AC Transit and Measure B. The design of the improvements is 65% complete. The project name is "San Pablo Rapid Bus Stop Improvements". The construction is expected to start in fall of 2006 and would be completed by March of 2007.

**SMART Corridors Program** At its meeting of April 4, 2006, ACTAC reviewed and recommended a strategy to fund O&M activities of the East Bay SMART Corridors Program. The Plans & Programs Committee also discussed the matter at its March and April meetings and generally concurred with ACTAC's recommendations. After accounting for residual funds from prior commitments and AC Transit's and the west Contra Costa County cities' new commitments, approximately \$233,000 in additional funding is needed to continue the bare minimum program until the end of FY 06/07. Item 7.2 of the CMA Board reflects an updated funding plan. Republic Electric, Inc. has been selected to provide field equipment maintenance for the coming year. The public website address for the SMART Corridors is: <http://www.smartcorridors.com>.

CMA is working with emergency service providers on new incident management projects that have been funded with new grants and federal earmarks. CMA is also working with the City of Oakland to implement Transportation Management Centers (TMC) for the City and CMA for improved transportation Management. These efforts would also include improving the stability of the SMART Corridors network, which is beneficial to all participating agencies and public. MTC approved a grant application by CMA on behalf of all project partners along San Pablo corridors to optimize traffic signal timing plans for 115 intersections on San Pablo Avenue as well as many crossing arterial roadways connecting San Pablo Avenue with I-80.

**Rapid Bus Corridor on International/Broadway/Telegraph** – CMA staff is coordinating with AC Transit, the cities of Berkeley, Oakland, San Leandro, and Caltrans on the implementation of this new Rapid Bus Corridor. CMA staff has secured three separate TFCA grants totaling \$1.4 million to supplement Measure B funds provided to AC Transit by ACTIA as well as RM2 funds from MTC. This project has a very aggressive schedule and is being fast tracked to be completed in summer of 2006 for the start of service by AC Transit. CMA is administering multiple procurement and construction contracts that are running concurrently to meet the aggressive schedule. Construction on Broadway is complete pending punch list items. Construction for the Telegraph Avenue segment is about 80% complete. Construction on the E 14<sup>th</sup>/International segment is 50% complete. AC Transit has requested assistance from the CMA on construction of 20<sup>th</sup> Street/Uptown transit improvements as well as for the design and installation of additional Closed Circuit TV (CCTV) cameras at the end of all Rapid Bus lines as supplemental work. Most of this added work is scheduled to be complete by summer of 2006. Based on a request by AC Transit, the CMA Board in February awarded the construction contract to NTK Construction, Inc. of San Francisco contingent upon issuance of a minor encroachment permit from the City of Oakland for the Uptown Transit Center on 20th Street between Broadway and Telegraph. The City of Oakland has issued all necessary permits and the construction contract has been executed and a notice to proceed (NTP) has been issued.

**Grand/MacArthur Corridor Transit Enhancements:** CMA and AC Transit are the joint sponsors of the Regional Express Bus Program that is funded by Regional Measure 2. The work is being coordinated with the City of Oakland and Caltrans. A component of this project is the transit enhancements along the Grand/MacArthur Corridor starting at Eastmont Mall and ending at Maritime for the Bay Bridge access. This project includes a Transit Operations Analysis and design and construction of various traffic signal modifications along this corridor. In addition to the RM2 funds, there is also a \$205,000 TFCA grant to AC Transit for the installation of Transit Signal Priority components in the corridor. DKS Associates, the consultant for this project, has completed traffic engineering and transit analysis for the whole corridor with the system engineering analysis pending. The design activity for the seven intersections included in TFCA grant has started. Additional design activities are pending on options presented to the TAC by the consultant. Construction is expected to start in mid 2006 for the seven intersections currently funded for improvements. If funding for additional intersections is identified construction may be delayed until the fall to allow for completion of the additional design work.

**Route 84 HOV – Dumbarton Corridor** – In October 2004, MTC allocated \$2 million in RM2 funds to the CMA for the design of HOV improvements on Route 84 in the Dumbarton Corridor. The CMA is coordinating development of this project with Caltrans.

**I-680 Southbound HOV Lane Project** – The CMA is partnering with Caltrans in the design of this project with a CMA design consultant developing plans for all structure modifications required in the corridor and Caltrans completing all civil design. Final

design is being coordinated to incorporate the SMART Lane components. Construction is scheduled to begin in 2006 subject to the availability of funds in the STIP.

**I-680 HOV Lane Project – Soundwall Construction** – The contract was accepted by Caltrans in late March. The project has exceeded the time allowed for completion and will include liquidated damages. The project is one of the components of the overall I-680 corridor improvements.

**I-680 SMART Carpool Lane project** – The JPA met April 10<sup>th</sup> and approved the Project Cost and Funding Plan, the Administrative Code, the draft Enforcement Plan and the scope for Public Education and Marketing. Work on the Systems Engineering Management Plan and 35% design continued. The JPA Board will meet next on June 12<sup>th</sup>.

**Dumbarton Corridor** – The consultants completed Phase 1 of the EIR/EIS process, focusing on alternatives analysis. Phase 2, which will analyze a limited number of rail alternatives and bus alternatives, will be complete June 2006. Segment G, which includes the Union City Station and the Shinn connection, has received environmental clearance. Caltrain will submit an application to MTC for RM2 funds for design for Segment G. The next PAC meeting will be held in May 2006.

**BART to Silicon Valley (Silicon Valley Rapid Transit Corridor – SVRTC) - VTA** temporarily withdrew from the FTA New Starts process and is working with FTA on the travel forecast and keeping them apprised of the financial plan. VTA will enter into a project development agreement with the FTA to re-enter the FTA process with a favorable rating. The EIS and Supplemental EIR, which includes modifications to the original project, such as structural engineering options that provide cost saving options along the alignment, began summer 2005. The schedule for the EIR and EIS will be determined based on the project development agreement. The next Policy Advisory Board meeting will be held May 24, 2006.

#### **I-580 Tri-Valley Corridor Improvements**

**a. I-580 TMP Project** – This initial component of planned corridor improvements will implement key elements of a Traffic Management Plan (TMP), including Traffic Operations Systems (TOS) and Intelligent Transportation Systems (ITS) elements, in the Tri-Valley area. The TMP project will assist with traffic management during construction of the I-580 improvements and provides a foundation for bringing the Tri-Valley jurisdictions into the CMA's SMART Corridor Program. It will also provide infrastructure capability to local and regional transit providers to allow transit signal priority (TSP) for express bus routes to be implemented on existing local routes between downtown Livermore and Dublin/Pleasanton BART during construction of the EB Interim HOV project, as well as on the EB HOV route when the facility is complete. The CMA's design consultant is preparing the project report in parallel with preliminary design activities. It is anticipated the project will be advertised in late summer 2006.

**b. I-580 Livermore Soundwall Project** – This component of planned corridor improvements will construct a soundwall along the north edge of I-580 just east of First Street in Livermore. Caltrans previously prepared the environmental clearance and design documents. The CMA will assume responsibility for completing the final design package and constructing the improvements. This project is fully funded in FY 06/07 of the STIP.

**c. I-580 EB Interim HOV Lane Project** – This project will provide an interim eastbound HOV lane to commuters on I-580 between Hacienda Drive in Pleasanton and Greenville Road in Livermore. The Administrative Draft environmental document was submitted for compliance review. Preliminary engineering and at-risk design are progressing concurrently. Comments on the 35% PS&E submittal have been received from Caltrans; a 65% submittal is anticipated in April, with completion of the preliminary design scheduled in late summer 2006. Upon approval of the eastbound-only environmental document, the CMA's design consultant will proceed with final design of the project. The CMA is working with Caltrans to combine a planned \$20M pavement overlay within the project limits. Construction is anticipated to begin in Fall 2007.

**d. I-580/I-680 Interchange Modifications** – The CMA is partnering with Caltrans in the development of a Project Study Report (PSR) for the I-580/I-680 Interchange Modification Project. The traffic modeling scope and assumptions to be used are being reviewed by Caltrans and FHWA; the consultant team is responding to comments. Caltrans will be the lead agency responsible for the preparation of the PSR, supplemented by a CMA consultant support services team as necessary to maintain an expedited delivery schedule. A cooperative agreement between the CMA and the State is currently being negotiated. The PSR will evaluate options to address key commute movements currently experiencing significant congestion and will identify alternatives for further evaluation, including feasible options for direct connector structures for two critical commute movements: 1) westbound I-580 HOV to southbound I-680 HOV; and 2) northbound I-680 HOV to eastbound I-580 HOV. The PSR will also evaluate ultimate HOV movements and update the master buildout plan for the I-580/I-680 interchange. The PSR is anticipated to be completed in early 2007. This project is being developed as an element of the RM2 I-580 Tri-Valley Corridor Improvements.

**e. I-580 WB Auxiliary Lane Project** – In cooperation with ACTIA, the CMA is taking the lead as the implementing agency for this project. The project consists of two westbound I-580 auxiliary lane segments as follows: a) Airway Blvd. to Fallon Rd., and b) Fallon Rd. to Tassajara Rd. The CMA is currently reviewing the environmental clearance status of these segments. The project is fully funded by ACTIA Measure B. The CMA and ACTIA are currently negotiating the agreements necessary to establish project delivery roles.

**Ardenwood Park & Ride Lot Project** – This project will acquire a site near the Route 84 / Ardenwood Boulevard Interchange in Fremont to expand an existing park-and-ride lot, which is operating at capacity. The expansion is expected to provide over 100 new parking stalls for commuters. The project is funded solely by Regional Measure 2

(RM2). The CMA is co-sponsoring this project with AC Transit, and the CMA is taking the lead as the implementing agency. The environmental document for this project was approved in late 2005. An RFP for design services was issued in December, and the CMA selected Korve Engineering in March. Contract negotiation is underway. Right of way acquisition activities will continue concurrently.

**Tri-Valley Triangle Analysis** – Modeling of the six alternatives continued. Work has been completed on 4 alternatives; the remaining work should be completed by the end of May. It is likely that one hybrid alternative will be developed and analyzed. The study is expected to be completed in late summer. The TAC is scheduled to meet on May 3.

**Berkeley/Oakland/San Leandro BRT** – The Draft EIS/EIR is expected to be complete early 2006.

**Transportation and Land Use Program** – The first quarterly report was completed for the Transit Oriented Development (TOD) Fund Monitoring program for the TODs identified in the Countywide Transportation Plan. An RFQ was issued for the TOD Technical Assistance Program (TOD TAP), which will provide technical assistance for TOD project sponsors. The qualifications statements are due April 26<sup>th</sup>. The \$40,000 TOD TAP Program is jointly funded by CMA through MTC's Transportation and Land Use Program and ACTIA.

**Community Based Transportation Plan: West Oakland** – The draft report will be submitted to the CMA Board in May 2006. The East Oakland and Berkeley plans have had kick off meetings with CMA staff and the consultants.

**Guaranteed Ride Home Program** – The program was initiated in April 1998. One hundred and thirty five employers and 3,731 employees are registered in the program, and 1,014 rides have been taken, including 48 rental car rides in the countywide rental car program. The average cost per taxi trip is now \$81.12. The average trip length is 39.09 miles. The average trip distance for a rental car ride is 83 miles and the cost per rental car used remains at \$55. Using the rental car saves \$77 for each average 65-mile trip. The Draft Annual Evaluation Report will be submitted to the CMA Board in May 2006.

**TravelChoice Program** – Over 70 individual educational pieces of literature have been developed to distribute to 6,500 households in Alameda and Fruitvale. Pre-project surveys have begun and approximately 14% of the project households have responded. Test calls are underway to assure that the outreach script is ready to run the day the project begins. The program will begin with initial calls in April.

**Dynamic Ridesharing** – The RideNow publicity event was held on March 29 from 7 to 9 a.m. and 4 to 6 p.m. at the Dublin-Pleasanton BART station. The event was covered by TV30 and articles were published in the April 2<sup>nd</sup> Contra Costa Times and the April 7<sup>th</sup> Pleasanton Weekly. KRON Channel 4 is scheduled to do a ride-along with a RideNow participant on May 5<sup>th</sup>. The Task Force would like to thank Supervisor Haggerty, BART Director Murray, Mayor Hosterman of Pleasanton, and Dublin Public Works Director



Melissa Morten for attending the event. The event was a success despite computer glitches that halted train service after 5:30 p.m. Since program inception, on November 15<sup>th</sup>, 2005, the program has had 902 ride match requests and 115 matches (13 percent request to match ratio). The program now has 118 participants. Since the March 29<sup>th</sup> public event promoting the program (4 weeks of data), 335 ride match requests, or 37% of the total, were made resulting in 79 matches, or 69% of the total matches. The ride request to ride match ratio for this period increased to 24%. Increasing the number of participants has resulted in better usage of the program. On April 19<sup>th</sup>, the program a record 10 matches were made. The Pilot Project is scheduled to be complete by mid-May and an evaluation report presented to ACTAC at its July meeting.

**Transportation Fund for Clean Air – Vehicle Incentive Program –** The Vehicle incentive program (VIP) is a grant that helps project sponsors acquire low emission, light-duty alternative fuel vehicles. Generally, public agencies located within the Bay Area Air Quality Management Air District, (Air District) jurisdiction can apply for VIP funds. Eligible vehicles include new vehicles that the following eligibility criteria:

- The vehicle must have a gross vehicle weight of 10,000 pounds or less.
- The vehicle must be powered by natural gas, propane, hydrogen, electricity, or hybrid electric motors or engines (Except for hybrid electrics, vehicles with the ability to run on gasoline or diesel fuel are not eligible.)
- The vehicle must be certified to the SULEV, PZEV, or ZEV emission standard by the California Air Resource Board.

Applications will be accepted beginning September 19, 2005. Incentives will be awarded on a first-come, first-served basis. Additional information on this grant is available at [www.baaqmd.gov](http://www.baaqmd.gov).

**Countywide Travel Demand Model Update –** For the Countywide Travel Demand Model Update, the existing and future networks have been finalized. The 2000, 2005, 2015, and 2030 reallocated land uses have been received from eight jurisdictions. The land uses are reallocated to the updated transportation analysis zones and are based on ABAG Projections 2005. Comments were due by March 3, 2006. The Cities of Piedmont, San Leandro and Pleasanton submitted letters to the CMA stating that the ABAG projections are too high. Regarding the jurisdictions that are yet to submit comments, new deadlines are given: April 7<sup>th</sup> for year 2000 and 2005 and April 21<sup>st</sup> for year 2015 and 2030. The consultant continues to work on the travel demand model processes for application to Cube/Voyager software and for refinement of the regional models to provide more detail in Alameda County. Work also continues on the validation of the model by compiling survey data and creating calibration targets. The April 06 Task Force meeting was canceled.

**Pedestrian and Bicycle Facilities Technical Reference Guide for Planners and Engineers -** Caltans has made available a July 2005 update of the Pedestrian and Bicycle Facilities Technical Reference Guide for Planners and Engineers online at the following

address: [www.dot.ca.gov/hq/traffops/survey/pedestrian/pedbike.htm](http://www.dot.ca.gov/hq/traffops/survey/pedestrian/pedbike.htm) . The report includes standards and innovative practices for the development of bike & pedestrian facilities.



ALAMEDA COUNTY  
CONGESTION MANAGEMENT AGENCY

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**Memorandum**

*May 2, 2006  
Agenda Item 2.3.1*

**DATE:** April 21, 2006  
**TO:** ACTAC  
**FROM:** Matt Todd, Senior Transportation Engineer  
**RE:** Transportation Fund for Clean Air (TFCA) Program Extension Request:  
City of Fremont – Fremont CNG Refueling Station (03ALA07)

**Action Requested**

The ACTAC is requested to take action on the City of Fremont request for an extension to the expenditure deadline for the Fremont CNG Refueling Station Project funded by the Transportation Fund for Clean Air (TFCA) Program Manager Funds. The request would extend the expenditure deadline from May 25, 2006 to November 25, 2006.

**Next Steps**

This item will be presented to the PPC and CMA Board in May of 2006.

**Discussion**

The City of Fremont Compressed Natural Gas (CNG) Refueling Station Project was approved by the CMA Board as part of the 2003/2004 TFCA Program Manager funds. The project was awarded \$96,242.00 for the addition of four slow fill compressors and one fast fill compressor to be constructed at the City of Fremont's corporation yard. The city has cited construction delays due to rainy conditions that have not allowed for concrete pouring. The scheduled completion of construction and current expenditure deadline was projected for May 25, 2006. The extension of the expenditure deadline is for 6 months to November 25, 2006. Per revised Air District Guidelines as of 2005-06 the program manager is allowed to approve (2) one-year extensions. The third extension request will require written approval from the Air District. This is the City of Fremont's second extension request for this project.

Attachment

RECEIVED  
APR 17 2006

*Fleet Maintenance  
510-979-5739Desk  
510-979-5749Fax*

4/14/06

BY: .....

**To:** Matt Todd , Project Manager for Alameda County Congestion Management Agency

**From:** Mark P. Collins

**Subject:** Request for Project Extension  
TFCA Project # 03ALA07 Fremont CNG Refueling Station-Fremont

The City of Fremont is submitting this letter requesting an extension for project 03ALA07. The Slow-fill portion has been completed and is functional. The Fast-fill portion was met with rain delays that interfered with the trenching and cement work in the project. The contractor Instrument Control Services (ICS) has one more portion of cement that needs to be poured. (ICS) and MSI Fuel Management (MSI), the contractors responsible for the fast-fill construction portion have given us a construction time schedule for the remaining construction that needs to be completed. Their schedule estimates that there are 15 days of construction left not taking into account any unforeseen obstacles (rain). Based on this information, if everything goes as planned, we will be very close to the completion date, but the possibility of going past the due date is quite possible because of unexpected problems. The City of Fremont would like to have the project completion date extended for another six-months to provide us some more time to insure that we will not lose the grant funds. Also, enclosed is the "TFCA Annual Report During FY 2005/2006" that you are requesting. Please call me at 510-979-5739 if you require more information.

Sincerely,

Mark P. Collins  
City of Fremont  
Fleet Maintenance  
Equipment Maintenance Supervisor



ALAMEDA COUNTY  
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**Memorandum**

*May 2, 2006  
Agenda Item 2.3.2*

**DATE:** April 21, 2006  
**TO:** ACTAC  
**FROM:** Matt Todd, Senior Transportation Engineer  
**RE:** Transportation Fund for Clean Air (TFCA) Program Extension Request:  
LAVTA- ACE Shuttle to the Dublin/Pleasanton BART Station (from Pleasanton  
ACE Station) 03ALA15

**Action Requested**

ACTAC is requested to take action on the LAVTA request for an extension to the expenditure deadline for the ACE Shuttle to the Dublin/Pleasanton BART Station Project funded by the Transportation Fund for Clean Air (TFCA) Program Manager Funds. The request would extend the expenditure deadline from June 30, 2006 to September 30, 2007.

**Next Steps**

This item will be presented to the PPC and CMA Board in May of 2006.

**Discussion**

LAVTA's ACE Shuttle to the Dublin/Pleasanton BART Station Project was approved by the CMA Board as part of the 2003/2004 TFCA Program Manager Funds. The project was awarded \$83,934.00 funded the operation of a shuttle running from the Pleasanton Altamont Commuter Express (ACE) Station to Dublin/Pleasanton BART Station. The extension of the expenditure deadline is for (15) months to September 30, 2007. This will allow the same service to continue for an additional (15) month period. Per revised Air District Guidelines as of 2005-06 the program manager is allowed to approve (2) one-year extensions. The third extension request will require written approval from the Air District. This is the LAVTA's first extension request for this project.

Attachment



Livermore Amador Valley Transit Authority

April 24, 2006

Mr. Matt Todd  
Alameda County Congestion Management Agency  
1333 Broadway, Suite 220  
Oakland, CA 94612

**RE: LAVTA Request for Extension for TFCA Funding – Grant 03ALA15**

Dear Matt:

Please allow this correspondence to serve as LAVTA request for an extension to use the Transportation Fund for Clean Air Program Manager funding associated with provision of service from the Pleasanton ACE station to the Dublin/Pleasanton BART station during a portion of FY 2007.

The original grant application was developed upon an assumption that ACE would be operating a fourth (4<sup>th</sup>) train during the grant period. Since this train has yet to commence service the remaining funding of \$29,000 will be used to continue the same service commencing July 1, 2006 through September 30, 2007. We estimate that this extension will provide approximately 15 additional months of service. Therefore, LAVTA requests an extension to the funding agreement between the CMA and LAVTA to allow the use of the remaining funding during FY 2007.

We greatly appreciate your attention to this matter.

Sincerely,

  
Cory LaVigne  
Manager of Grants, Capital Projects and Procurement

CC: Accounting  
Grant File



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**Memorandum**

*May 2, 2006  
Agenda Item 2.3.3*

**DATE:** April 21, 2006  
**TO:** ACTAC  
**FROM:** Matt Todd, Senior Transportation Engineer  
**RE:** Transportation Fund for Clean Air (TFCA) Program Extension Request:  
CMA– Guaranteed Ride Home Program (03ALA13)

**Action Requested**

ACTAC is requested to take action on the CMA's request for an extension to the expenditure deadline for the Guaranteed Ride Home Program Project funded by the Transportation Fund for Clean Air (TFCA) Program Manager Funds. The request would extend the expenditure deadline from June 30, 2006 to December 31, 2006.

**Next Steps**

This item will be presented to the PPC and CMA Board in May of 2006.

**Discussion**

The CMA's Guaranteed Ride Home Program Project was approved by the CMA Board as part of the 2003/2004 TFCA Program Manager Funds. The project was awarded \$231,200 for program operations for two years. The current expenditure deadline is June 30, 2006. This extension request is for six months to December 31, 2006 and will allow the program to utilize projected cost savings to fund the program into the next fiscal year. It is anticipated that funds from the current grant will fund up to an additional two months of operations. The Air District will be requested to approve Fiscal Year 2006/07 funding during the summer of 2006.



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# ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

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## Memorandum

*May 2, 2006*  
*Agenda Item 3.3*

**Date:** April 17, 2006

**To:** ACTAC

**From:** Cyrus Minoofar, Principal Transportation Engineer

**Subject:** **East Bay SMART Corridors Program: Alameda County Incident Management Plan (Updated)**

### Action Requested

The Alameda County Fire Department (ACFD) has requested the assistance from CMA to administer and implement a grant for Incident Management provided by the Department of Homeland Security in the amount of \$612,000. This grant requires a local match of \$153,129. CMA Staff is working with the county on a strategy to secure the local match. The CMA has recently completed an incident management project with a similar scope for the ACFD and other local fire departments. ACTAC at its April 4, 2006 meeting recommended that the \$153,129 match be provided through the programming of CMAQ funds available from a previous TFCA exchange. It was also recommended that the Alameda County pay for 50% of the match and the cities benefiting from the project to pay their share based on the number of vehicles participating from their cities.

### Discussion

CMA has received a request from the Alameda County Fire Department (ACFD) to administer and implement a grant provided by the Department of Homeland Security (DHS) in the amount of \$612,000 and to jointly explore available funding options in order to meet the 20% local match in the amount of \$153,129.

The Alameda County Board of Supervisors at the December 13, 2005 meeting authorized ACFD to accept the \$612,000 DHS Grant and enter into agreement with CMA for implementation of work (See attached). The Homeland Security grant will allow ACFD, its contract jurisdictions of the cities of Dublin, San Leandro and the Lawrence Berkeley Laboratory, as well as other members jurisdictions of the Dispatch System, the cities of Alameda, Union City, Fremont, Camp Parks Reserve Training Facility Fire Department to continue with efforts to link all command and first-line emergency apparatus to each other

and into the Alameda County Regional Emergency Communications Dispatch Center. Since this funding was authorized September of 2005 with a 1 year window to compete, the project needs to be implemented on a fast track basis.

The CMA has recently completed an incident management project in partnership with fire departments in Alameda County including ACFD. The CMA procured and installed Mobile Display Terminals for nine engines at the San Leandro Fire Station. The new grant will make it possible to build upon the current fire dispatch system by expanding the number of Mobile Display Terminals into more fire departments and vehicles. This system will allow for a coordinated response by first responders, especially during a fire or roadway incident. Non-recurring incidents such as accidents, construction, and disabled vehicles account for about half of the traffic congestion nationally.

ACTAC at its April 4, 2006 meeting recommended that the \$153,129 match be provided through the programming of CMAQ funds resulting from a previous TFCA exchange. It was also recommended that the Alameda County pay for 50% of the match and the cities benefiting from the project to pay their share based on the number of vehicles participating from their cities. The funds would allow installation of Mobile Display Terminals showing real-time congestion display as well as the Automatic Vehicle Locator (AVL) system. CMA will need to enter into an agreement with ACFD to implement this project.

CMA would not be responsible for any on-going Operations and Management of the units and no additional O&M impacts are anticipated. Following is a funding contribution plan for the local match.

Table 1: Proposed Funding Contribution

No.	Participating Agency	No. of Apparatus	Factor	% Split	Local Match Contribution
1	Alameda Co. Fire Dept. (16) + San Leandro (7)	23	--	50%	\$ 76,564.50
2	City of Dublin	4	4	4%	\$ 5,372.95
3	City of Fremont	20	20	18%	\$ 26,864.74
4	City of Alameda	19	19	17%	\$ 25,521.50
5	City of Union City	14	14	12%	\$ 18,805.32
	<b>TOTAL</b>	<b>80</b>	<b>57</b>	<b>100%</b>	<b>\$ 153,129.00</b>

Note: \* Camp Parks Reserve and Lawrence Livermore Labs may participate in the order but will not affect the match.



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May 2, 2006  
Agenda Item 3.4

**Memorandum**

**Date:** April 24, 2006  
**To:** ACTAC  
**From:** Diane Stark, Sr. Transportation Planner  
**Subject:** Congestion Management Program: Guaranteed Ride Home (GRH) Evaluation

**Action Requested**

The Committee is requested to accept the Draft 2006 Annual Evaluation Report posted on the CMA website for the Guaranteed Ride Home Program and approve the recommendations for next year's program. It is recommended that next year the program, 1) continues operating as is, including marketing, employee and employer surveys and monitoring the taxi and car rental programs, 2) update the website to make information and materials easier for users and create a separate section for employers, 3) require that all non-emergency trips of 50 miles or more (during the car rental company's business hours) use the rental car service and consider decreasing the eligibility requirement for employers from 100 to 75 employees, if there is not significant impact to the GRH budget, and 4) organize a Rental Car and Instant Enrollment Marketing Campaign.

**Next Steps**

Submit to the CMA Board for acceptance and approval finalize and distribute the 2006 Program Evaluation Report.

**Discussion**

Summary of the GRH Program

The parameters of the program were established in 1998 and reviewed in 2000. A demonstration car rental program was added in 2002.

Since 1998, the Program has:

- grown from 72 to 131 registered employers, an increase of 82 percent,
- grown from 880 to 3,638 participating employees, a more than quadruple increase,

As the program has grown, the cost to operate it initially increased, but has stabilized since 2001, regardless of the number of trips taken or employers and employees that are enrolled. In the first two years of the program—1998 and 1999, the Program budget was \$55,000 per year. In 2001, the budget increased to approximately \$100,000 per year and remained relatively stable since then. The program resulted in:

- *A steady number of rides being provided.* Since the program's inception in 1998, when it provided an average of 6 rides per month, the average number of rides per month has doubled, then remained relatively stable at 12 rides per month since 2001, regardless of the number of employees registered. During the same period, the Program more than quadrupled its number of participants.

However, in 2005, despite an increase in the number of registered employees, the number of rides was reduced by half compared to the previous year. It is not known why there was a sudden decrease in rides in 2005.

- *Participants making longer trips.* The average trip distance increased from 28.7 miles in 1998 to 44.8 miles in 2005, an increase of 56 percent. The average trip mileage for rental car trips was 79 miles, a decrease from the previous year's average of 108 miles. Seventy three percent of all trips were more than 20 miles in length; 41 percent were over 40 miles and eight percent were over 80 miles.
- *Higher taxi trip costs and lower car rental costs.* The average trip cost increased 48 percent from \$54.51 in 1998 to \$91.10 in 2005. The costs increased because of longer trips, higher gas prices and increasing taxi rates. However, the countywide rental car program, with fixed trip costs, has helped offset the higher costs of taxis for longer trips.
- *Less administrative effort to respond to participant questions.* While the number of participants has more than quadrupled since the program's inception, the use of the website on line and the relatively steady number of participants that has used the service for rides, staff time to respond to participant questions and maintain the database has remained fairly steady.
- *Implementation of the countywide rental car program.* The countywide rental car program saved the program \$860 in 2005. The cost savings can be attributed to the rental car trip flat rate of \$55 compared to \$91.10 per taxi cab trip.

#### Major Findings of the Evaluation

The Draft Program Evaluation, which is available on the CMA website, presents the results of the 2006 evaluation of the Program's administrative functions, statistics on employer and employee participation and trips taken, data from the annual survey of participating employees and employers, and recommendations for Program enhancements. These are summarized below:

- *Program Operating Principles:* The process of enrolling participants in the program and getting an emergency ride home, and the use limitation of 6 trips per year continues to be appropriate. Ninety percent of the employees enrolled have never taken a trip. The eligibility requirements for employers has been reviewed and analyzed, particularly the minimum number of employees per employer (which is 100) and the possibility of allowing business districts to be considered eligible to register in the program. It is recommended that the minimum number of employees per employer be lowered to 75 instead of 100. The business district category is not recommended at this time. This analysis and ensuing recommendations are discussed further under "Program Recommendations/Next Steps, on the next page.
- The Program allows participating employees to live up to 100 miles away from their worksite. Of the 1,050 rides provided since the beginning of the Program, the average trip distance has gone from 28.7 miles at the program's inception to 44.48 miles in 2005.
- *Marketing and Promotions:* Marketing and outreach in electronic format and co-marketing with other entities, such as RIDES, provided a cost-effective means of promoting the program. The program also marketed via flyers, presentations and events.
- *Employer and Employee Participation:*  
The total number of employers and employees has increased every year of the program, with a slight dip in 2002, when the number of employers declined due to a downturn in the economy, as shown in Table ES-1 of the attached Draft Program Evaluation. The number of employers registered increased by nine percent in 2005 due to the upswing in the economy combined with the effectiveness of marketing at presentations and events.

The North and East County continues to have the most employers enrolled in the program, primarily in Oakland, followed by Pleasanton, who has a large concentration with the employers of the Hacienda Business Park. The most common trip origin cities are Fremont and Berkeley and the most common destinations are Modesto, Oakland and Manteca.

The most popular mode taken for those using the program is carpool or vanpool (62 percent).

- *Employee Survey:* Twenty percent of the employees responded to the survey. Ninety seven percent of them completed the surveys on line. According to survey response:
  - 63 percent reported that the GRH Program encourages them to use an alternative mode to commute to work;
  - Most (71% each) program participants travel to work during peak commutes hours when the impact on congestion and air quality is the greatest;
- Employer Survey:* Thirty one percent of the employers responded to the survey
  - Over 75 percent of the employers representatives have been with the program for one or more years. All of the employers reported that their workload was manageable or they have time to do more with the program.
  - Instant Enrollment Process (same day registration): One-third of the respondents did not understand the instant enrollment process. This is a reduction from 77% in 2004. This still indicates a need to provide more concise and detailed instructions for the employers.

#### Program Recommendations/Next Steps

Based on the results of the GRH evaluation, the following recommendations are made:

1. Update the GRH Website. In an effort to increase exposure to the program and make information and materials easier for users, updates should be made to the website, such as exploring new and updated images and creating a separate section for employers and making website consistent with CMA format.
2. Require that all non-emergency trips of 50 miles or more (during rental car company's business hours) use the rental car service and consider decreasing the eligibility requirement for employers from 100 to 75 employees. Requiring that non-emergency trips of 50 miles or more use rental cars, with limited exceptions, can be implemented alone, while reducing the number of employees should only be implemented concurrently with the 50-mile car rental program. Implementing these two recommendations together can offset any possible initial increase in program costs associated with reducing the number of employees per employer. The rental car recommendation should provide increased savings over the current rental car requirements, while lowering the employee requirement may add some costs when first implemented.

In 2005, a marketing campaign was initiated to target larger employers and provide materials and information about the rental car option. Through the marketing campaign additional research, various parameters were defined for the implementation of the 50 mile rental car requirement. The program currently encourages all participants to use the rental car service for trips over 20 miles, but there is no method of enforcement. The program should require that all trips of 50 miles or more use the rental car option, except for certain circumstances such as graveyard shifts (when rental car is not available) and for certain types of the emergencies when driving a car is not possible.

GRH staff reviewed the eligibility requirements of 10 GRH programs across the country and posted a question on the Transportation Demand Management list serve regarding the minimum employer. None of the other programs had any minimum number of employees per employer. However, some had other requirements the CMA does not. For example, Minneapolis automatically registers employees in the program once they are registered in a carpool or vanpool; Sacramento registers any employee who uses alternative modes at least 60 percent of the work week, while San Mateo County charges companies a portion of the cost for the taxi ride. As an example of how the other programs

compare to Alameda County, Contra Costa County GRH had about 3,000 employees registered and they average about 500 rides per year. The number of employees is analogous to the CMA's program but the number of rides is over double the CMA's program and the budget is 60 percent higher than the CMA's program.

While having no minimum number of employees may result in a significant increase in program cost, reducing the number from 100 to 75 may be expected to have an insignificant increase in program cost, which could be offset by the reduction in cost from increased car rentals. According to InfoUSA, a company that tracks businesses throughout the United States, Alameda County has 2,350 companies with 100 or more employees (131 or six percent are currently registered with GRH) and 3,641 companies with 50 or more employees. InfoUSA does not have a tracking category for 75 employees, but by splitting the difference of the two numbers in half, employers with 75 to 99 employees would account for about 670 prospective employers. However, based on GRH's program experience in Alameda County over the past eight years, not all employers would be registered with the program. Currently only six percent of eligible companies are registered. Six percent of 670 would account for about 40 new companies eligible for program if the cap is reduced to 75 employees. Although 40 companies would represent a sharp increase in employer and employee registration, the companies would not register all at one time. The new eligible companies would also be expected to register for the program over a span of several years, which would also make the transition easier for the program administration.

CMA's GRH program had an increase in 11 employers and 400 employees in 2005, yet the program had a 41 percent reduction in rides during the same period. The previous year showed a 17 percent increase in the number of employees registered, nine percent increase in employers, with a 5 percent decrease in the number of rides taken. This demonstrates that even with increased registrants, there is not necessarily an increase in rides taken.

Therefore, by allowing companies with 75+ employees to register for the program, GRH would become accessible to more people while it would not expect to have a minimal impact on the program. Implementation of this change would require contacting new employers, making updates to printed materials and the website. Most of the costs would be expected to be incorporated into the proposed marketing and administrative costs.

3. Organize a Rental Car and Instant Enrollment Marketing Campaign. Employers and employees are not fully aware of the benefits of the rental car option. In 2006, the program should organize and execute a campaign that provides more information regarding rental cars. This can be done through email and regular mail marketing materials. In addition, employer representatives have indicated that they need additional direction regarding the instant enrollment vouchers and the process of issuing them to employees. This can be a dual marketing campaign.

Not recommended:

Business Districts: Last year's GRH program recommended investigating allowing business districts such as the Downtown Associations, TMAs, and office buildings that would act as a "business park" and be responsible for managing the GRH program for its members. Currently, employers with fewer than 100 employees are allowed to enroll in the GRH Program if they reside in a business park that has also enrolled in the GRH Program and serves as on-site manager for the employers located in the park.

Thus far, business parks have not had a huge impact on the administration of the program, however only four are currently registered and they have accounted for about 10% of the total rides taken since the program's inception.



The greatest challenge to allowing business districts to register with GRH is developing criteria for what constitutes a business district. It is difficult to define a business district as it could fall under many types of organizations including, but not limited to the following:

- Downtown Business Associations
- Neighborhood Business Associations
- Office Buildings
- TMA
- Retail Strip Centers

Opening the program to so many different types of organizations would have an impact, not only on the number of rides, but also on the administration of the program (which accounts for a greater portion of the current budget). In many ways it could create a greater burden on administration due to the potential uncertainty over who would or would not be eligible as a business district. Even with the most detailed criteria for eligibility, the program would open up the possibility of loopholes to the special district requirements. Since business districts fall under so many types of organizations, if the CMA were to establish criteria for business districts, they would have to be broadly defined, but should include:

- A primary contact person representing the TMA, property manager, business association who agrees to take on the GRH responsibilities;
- An organization already in place that represents all of the companies in the district;
- At least 100 employees within the business district, and
- The primary contact must have a phone number, fax number and email address and agree to distribute surveys, materials and information to registered employees.

#### Impacts to the Program

To estimate the impact of business districts on the program, it would be helpful to first estimate how many business districts are located in Alameda County. Although it is impossible to quantify business districts because they do not fall into a single category, for just the neighborhood business district category, Oakland alone would have 37 districts representing hundreds of companies. This may create challenges as there is no clear cut definition and it may open the door to a lot of organizations with different types of needs and business bases. In addition, the well defined consistent contact person is crucial to effectively administering the program. With so many different kinds of organizations being eligible, this may result in increased administrative costs over time.

Currently 6% of eligible companies (Alameda County companies with 100+ employees) are registered. If for example there were about 700 business districts in the County, that would account for about 40 new companies or business districts (or 6% of 700) eligible for program. It is impossible to estimate how many additional rides each new company will generate each year as rides are not evenly distributed among registered companies. However, on average each company generates 1.2 rides per year. Thus 40 new companies would total 48 additional rides. The average taxi ride is \$80, leading to an additional cost of \$3,840 per year with the addition of 40 companies. More importantly, the increase in employers and employees and marketing will lead to an increase in administrative costs, especially in the beginning. This can be difficult to quantify, however additional hours per week would be needed to answer phones, send out brochures and vouchers, and explain the business district policy to many different organizations.

Allowing business districts into the program does not appear to be the most cost effective way to open the program to more people. Due to the high overhead such a measure would generate by the extra administrative workload, business districts may not be the best approach for the GRH program. To make the program accessible to more employees in Alameda County with less of an impact on administrative staff, it is recommended instead to lower the employee requirement from 100 to 75. This would be more straightforward and easier for prospective employers to understand and lead to less administrative time. If the measure proves to be successful (minimum impact on costs while taking cars off the road) after several years, the program could be reevaluated the program for further decreases in the employee requirements.

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# **Executive Summary**

## **Introduction**

The Alameda County Congestion Management Agency (CMA) Guaranteed Ride Home (GRH) Program has been in operation since April 9, 1998. This report presents the results of the eighth annual program evaluation and covers program operations during 2005 including comparison with previous years. The evaluation provides information about:

1. The effectiveness of the program's administration;
2. Statistics on employer and employee participation and trips taken;
3. The program's success in causing an increase in the use of alternative modes; and
4. Recommendations about any area(s) that need modification or expansion.

This executive summary includes a program description, overview of historical trends, summary of major findings of the evaluation, and program recommendations.

## **Program Description**

The Alameda County CMA Guaranteed Ride Home Program is sponsored by the Alameda County Congestion Management Agency (CMA) and is funded with Transportation Funds for Clean Air (TFCA) from the Bay Area Air Quality Management District.

The GRH Program provides a "guaranteed ride home" to any registered employee working for a participating employer in cases of emergency on days the employee has used an alternative mode of transportation to get to work. Alternative modes include: carpools, vanpools, bus, train, ferry, walking and bicycling. Participating employers must have at least 100 employees at worksites located in Alameda County. As of December 31, 2005, 131 employers and 3,638 employees were registered with the program.

The objective of the program is to maximize modal shift from driving alone to commute alternatives including transit, carpools, vanpools, bicycling and walking. Based on this stated objective, the program can be considered a success. Each year of operation, the program has seen an increase in the number of participants who use alternative modes and an increase in the frequency with which they use alternative modes.

## Historical Trends

The Guaranteed Ride Home Program began as a demonstration program in 1998. Over the course of the last eight years, GRH has grown into a smoothly operating program with 131 registered employers, about 3,600 registered employees, and 82 trips provided this year.

Seventy-two (72) employers registered with the program during the initial six-month demonstration period. Another 28 registered during the 1999 operating year, and 19 registered during the 2000 operating year. In 2001 and 2002, 13 and 12 new employers joined the program, respectively. In 2003, fourteen employers registered. Sixteen (16) new employers registered in 2004. A total of 22 employers registered this year. The program now has 131 participating employers.

During the initial six-month demonstration period, about 880 employees joined the Guaranteed Ride Home Program. Another 794 joined during the 1999 operating year, and 591 in the 2000 operating year. In 2001 and 2002, 494 and 525 new employees joined, respectively. In 2003, the number of new employees registered was 710. In 2004, 543 new employees registered and in 2005 603 new employees registered. The program now has 3,638 registered employees.

A total of 1,050 trips have been provided from the time of the Program's inception through the end of 2005. During the 2005 operating year, 82 trips were taken, a sharp decrease from recent years (148 in 2001, 144 in 2002, 149 in 2003 and 141 in 2004). Most registered employees (90%) never take a trip. Of those who have taken trips, the vast majority (79%) have taken only one or two trips. This demonstrates the "insurance" nature of the program.

Based on the fact that each registered participant may take up to six trips in a one-year period, the rate that guaranteed rides are taken is very low. For example, at the end of 2005, there were a total of 21,828 potential rides based on a total enrollment of 3,638 employees. However, only 82 trips were actually needed that year (less than 1% of potential trips).

Figure ES-1 illustrates some key historical trends for the Guaranteed Ride Home Program.

Figure ES-1 Guaranteed Ride Home Program Historical Trends

Trend	1998 <sup>1</sup>	1999	2000	2001	2002	2003	2004	2005
<b>2005 Program Participants<sup>2</sup></b>								
Total Number of Employers	72	100	119	132	127	110	120	131
New Employers Registered	72	28	19	13	12	14	16	22
Total Number of Employees	880	1,674	2,265	2,759	2,664	2,785	3,268	3,638
New Employees Registered	880	794	591	494	525	710	543	603
<b>Trip Statistics</b>								
Total Number of Trips Taken	57	156	168	148	144	149	141	82
Total Number of Rental Car Trips	N/A	N/A	N/A	N/A	8	10	18	9
Average Trips per Month	6.3	13	14	12.3	12	12.4	11.8	6.8
Average Trip Distance - Rental Car and Taxi combined (miles)	28.7	36.2	37.8	42.5	42.9	45.2	46.2	44.8
Average Trip Cost	\$54.41	\$64.29	\$69.73	\$86.37	\$88.07	\$94.19	\$85.40	\$91.10
Rental Car Savings	N/A	N/A	N/A	N/A	\$536	\$1,120	\$2,246	\$859
<b>Survey Results</b>								
Number of Surveys Collected	215	350	270	346	517	619	658	716
Survey Response Rate	N/A	21%	12%	12%	19%	22%	20%	20%
Percent Who Would Not Use an Alternative Mode without GRH	15%	16%	19%	19%	34%	41%	47%	46%
Increase in the Percent of Those Using Alternative Modes Four or More Times a Week	N/A	10%	15%	8%	15%	17%	14%	21%
Number of Single Occupancy Vehicle Trips Reduced per Week	N/A	N/A	N/A	N/A	3,768	3,946	3,774	3,378

<sup>1</sup> The Program began in April 1998.

<sup>2</sup> The number of new employees and employers registered is actually higher than shown in the table. Some employers and employees have been deleted from the database due to job changes and employers going out of business. The numbers shown in the table are based on those currently registered in the database.

## Major Findings of the Evaluation

The program evaluation consisted of an examination of the program's administrative functions, statistics on employer and employee participation and use, data from the surveys of participating employees, and recommendations for program changes and enhancements. The following sections present the major findings from the evaluation.

### Program Administration

#### Program Operating Principles

- To be eligible for the program, employers must have 100 or more employees. While some large employers throughout the county have not yet been contacted, it may be appropriate to review and evaluate this eligibility requirement in the coming year since there are several employers with less than 100 employees who have expressed an interest in participating in the program. The process of enrolling and getting an emergency ride home continues to work smoothly.
- The use limitation of six trips per year continues to be appropriate. Very few program participants reach the limit. No one in 2005 reached the six trip limit. The most trips taken by one person in 2005 was four.
- The rental car demonstration program was successfully implemented in October 2002 in the Tri-Valley area (Dublin, Livermore and Pleasanton), and county wide in April 2004. The program realized an estimated savings of \$859 on ride costs in 2005. This is down sharply from last year due to the fact that there were fewer total rides in 2005. Program administrators began a rental car outreach program in 2005, which targeted three of the larger registered employers (NUMMI, Kaiser, City of Berkeley). In effort to promote the rental car option, GRH staff wrote articles for company newsletters and had them post informational flyers around their offices.

#### Marketing and Promotions

- Approximately one-tenth of program resources are dedicated to marketing and promotion. This time is spent marketing both to employers and their employees in the form of making calls, distributing flyers, and giving presentations and attending events. The program has sought to leverage these resources by relying on participating employers to promote the GRH Program internally, and by seeking co-marketing opportunities with local transit agencies and with organizations that promote commute alternatives. In 2005, the program focused on increasing exposure of GRH by attending more events.
- The availability of the marketing materials in electronic format via the internet or email upon request continues to be a useful and inexpensive tool for promoting the program.

- In an effort to expand the program to more employees in Alameda County, program staff looked into allowing business districts to register for GRH. Initial guidelines and criteria for defining a business district were developed in 2005. Based on an analysis of potential business districts in Alameda County, it is not recommended that they be added to the program at this time due to potential increases in administrative costs to the program.

## **Employer and Employee Participation**

### **Employer and Employee Registrations**

- Both the number of new employers and new employees increased in 2005. As of December 31, 2005, 131 employers and 3,638 employees were registered.
- North and east Alameda County continue to be the areas with the most employers enrolled in the program. The City of Oakland is the location of the largest number of employers registered with the program followed by Pleasanton.

### **Trips Taken**

- From the program's inception in 1998 through 2005, a total of 1,050 trips (1,005 taxi trips and 45 rental car trips) have been taken. 82 trips were taken during the 2005 calendar year for an average of 6.8 trips per month. The number of trips taken in 2005 represented a sharp decrease in rides compared to recent years.
- Ninety percent (90%) of the employees enrolled have never taken a trip. Of the 511 employees who have taken a trip since program inception (1998), 79% have taken only one or two rides.
- Personal Illness was the most common reason for taking a trip in 2005 (28% of trips), followed by family member illness (26%).
- Those who carpool or vanpool are more likely to use a guaranteed ride home trip than those who use other alternative commute modes. Sixty-two percent (65%) of guaranteed rides home were used by car- and vanpoolers.
- The average trip distance decreased in 2005. The average trip distance for all trips in 2005 was 44.8 miles. The average trip distance for rental car trips only was 79 miles down from 2004 (108 miles) and an increase from 2003 (72 miles).
- The average taxi trip cost in 2005 was \$91.10 up from last year's total of \$85.40. This could be due to the increase in fares (from \$2 a mile to \$2.50 a mile) at Tri City Cabs in 2005. The fare increased due to the rise in gasoline costs.
- The cost of a rental car trip is \$55.00. It is estimated that the use of rental cars in 2005 saved \$859 in trip costs. This is down sharply from last year due to the fact that there were fewer total rides in 2005.



## **Employee Commute Patterns**

- The most common trip-origin cities are Oakland and Pleasanton. The most common trip-destination cities are Oakland, Manteca, and Modesto.
- The most common trip destination county is Alameda County, followed by San Joaquin.

## **Employee Survey**

The 2005 survey was distributed and completed primarily online. We attempted to contact all employer representatives (some were non-responsive despite repeated attempts) to request their assistance with the distribution of the survey. When employers were not available or by special request, we contacted employees with the survey directly. Of the 3,638 employees currently enrolled in the program, 716 surveys were completed, resulting in a 20% response rate. Of them, 97% of the surveys were completed online. The respondents represent 55 different participating employers.

## **Use of Alternative Modes**

The Guaranteed Ride Home Program continues to be successful in encouraging the use of alternative modes. According to 2005 survey responses:

- When asked how important GRH was in their decision to stop driving alone, 71% of respondents who used to drive alone said that it was at least somewhat important. Most, 63%, of all respondents reported that the GRH program encourages them to use alternative modes more days than they would otherwise. If the GRH Program were not available, the majority (54%) reported that they would continue to use an alternative mode.
- The survey asked respondents how they traveled to work at present and before they registered for the GRH program. Both before and after the program, the most common modes were BART, driving alone, and carpooling.
- Using these survey findings, we are able to extrapolate the impact of the program on travel behavior of all participants. The program reduces 3,378 single-occupancy vehicle (SOV) trips per week.

## **Other Commute Characteristics**

- Commute distances are generally 50 miles or less (87%). Nearly half (46%) are between 11 and 35 miles.
- Most (71% each) program participants travel to work during peak commutes hours of 7-9 AM.

## **Customer Service Ratings**

The survey includes two questions to evaluate participant's level of satisfaction with the customer service provided in the program. Additional information on service satisfaction is collected in the survey participants return after they have taken a ride.

- The administrative functions of the GRH Program continue to receive very high ratings for the quality of customer service, consistent with previous years' evaluations.
- Passengers were very positive in their evaluation of the transportation services provided through GRH.

## **Employer Survey**

The 2005 program evaluation includes the second survey of employer representatives. The survey was distributed and completed by mail. The employer survey was differentiated from the employee survey to lessen the confusion for the employer contacts. Of the 131 employers currently enrolled in the program, 41 surveys were completed, resulting in a 31% response rate.

## **Use of Alternative Modes**

The survey asked the employer representatives how important the program is in encouraging employees to use alternative commute modes more often. A large majority, 95%, reported that they feel participation in the program encourages more alternative mode use.

- The survey asked respondents if their company offered additional commuter benefits to employees. Most employers (63%) reported that they do provide other transportation subsidy programs. The results show that most participating companies are actively promoting alternative modes.

## **Program Management**

- The survey asked respondents how long they have managed the program for their company. Over 75% have been with GRH for one or more years. When asked about the workload that GRH presents, employers overwhelmingly (100%) reported that their workload was manageable or they have time to do more.
- The survey results showed that employer contacts still need better information and instructions for using instant enrollment vouchers. About one-third (32%) of the respondents reported that they did not understand the instant enrollment process. In addition, 80% stated that they have never issued an instant enrollment voucher.

## **Customer Service Ratings**

The survey includes two questions to evaluate the employer representatives' level of satisfaction with the customer service provided in the program.

- "Clarity of information" provided by program staff received very high ratings. When asked about the hotline assistance they received, 69% of the respondents stated that they received "good" or "excellent" service and 31% reported that they "did not know".

## Recommendations

Recommendations for 2005, made in the 2004 report, and their outcome include:

Recommendation	Outcome
Consider purchasing a database listing of eligible employers	This recommendation was implemented in 2005. The database was purchased and staff has called about one-third of the companies on the list leading to several new registered employers.
Require that all non-emergency trips of 50 miles or more (during rental car company's business hours) use the rental car service	Not implemented in 2005, but outreach and research were conducted throughout the year. Program is recommended to be implemented in 2006 along with implementing a rental car marketing campaign.
Consider developing guidelines and consolidating program for business districts with a primary point of contact	A preliminary study was conducted over the past year and results showed that GRH should not go forward with the business district program due to administrative and cost effectiveness issues.
Consider having a new poster and marketing materials to promote the program	This recommendation was implemented in 2005. The new posters will be distributed to employers in Spring 2006.
Create and distribute new materials that help employer representatives with the instant enrollment process.	This will be implemented in Spring 2006. Project staff will send out new informational flyers to all employer contacts and update the instant enrollment information on the GRH website in May.

### **1. Continue to implement a comprehensive marketing approach.**

In 2006, it is recommended marketing efforts focus on 1) co-marketing with other programs promoting commute alternatives, such as 511.org; 2) direct marketing to employers; 3) maximizing program exposure via the internet and other media; and 4) maintenance marketing and outreach activities directed to inactive (or minimally active) employers throughout Alameda County. Following is a further explanation of some of these efforts:

- **Continue co-marketing efforts with other organizations that promote commute alternatives.**

The GRH Program should continue to focus on building partnerships with other organizations that promote commute alternatives, including 511.org, local transit agencies, vanpool providers and commute benefit providers (such as Commuter Check).

- **Contact inactive, or minimally active, employers who are already enrolled.**

The program should also continue to contact employers with very few or no registered employees in order to increase employee enrollment among those employees who are already eligible for the program. These outreach efforts will also help staff identify those employers who are no longer interested in participating in the GRH program.

- **Continue to attend and participate in commuter fairs and related events.**

We will continue to work with regional organizations and Alameda County employers to stay abreast of the various commuter-oriented events in the area. These efforts have proven to be one of the most effective methods of registering new employees and employers. It is important to become involved to not only attract new participants, but as was the case with Oakland CarFree Day, receive free media coverage.

### **2. Evaluate the impact of expanding the rental car program countywide.**

The evaluation of the rental car program is displayed in Chapter 3. A similar evaluation of the countywide program should be conducted in the 2006 program evaluation report. The program realized an estimated savings of \$859 on ride costs in 2005. This is down sharply from last year due to the fact that there were fewer total rides in 2005. Program administrators began a rental car outreach program in 2005, which targeted three of the larger registered employers (NUMMI, Kaiser, City of Berkeley). In effort to promote the rental car option, GRH staff wrote articles for company newsletters and had them post informational flyers around their offices.

### **3. Continue administering an annual Employer Survey.**

The 2004 and 2005 surveys provided beneficial data about the program from the company's perspective. An annual survey of employers will be a helpful tool in gaining information regarding marketing and customer service.

## 2006 Recommendations

### 1. Update the GRH Website.

In an effort to increase exposure to the program and make information and materials easier for users, updates should be made to the website, such as exploring new and updated images and creating a separate section for employers and making website consistent with CMA format.

### 2. **Require that all non-emergency trips of 50 miles or more (during rental car company's business hours) use the rental car service and consider decreasing the eligibility requirement for employers from 100 to 75 employees if there is no significant impact to the GRH budget.**

Requiring that non-emergency trips of 50 miles or more use rental cars, with limited exceptions, can be implemented alone, while reducing the number of employees should only be implemented concurrently with the 50-mile car rental program. Implementing these two recommendations together can offset any possible initial increase in program costs associated with reducing the number of employees per employer. The rental car recommendation should provide increased savings over the current rental car requirements, while lowering the employee requirement may add some costs when first implemented.

In 2005, a marketing campaign was initiated to target larger employers and provide materials and information about the rental car option. Through the marketing campaign additional research, various parameters were defined for the implementation of the 50 mile rental car requirement. The program currently encourages all participants to use the rental car service for trips over 20 miles, but there is no method of enforcement. The program should require that all trips of 50 miles or more use the rental car option, except for certain circumstances such as graveyard shifts (when rental car is not available) and for certain types of the emergencies when driving a car is not possible.

By allowing companies with 75+ employees to register for the program, GRH will become accessible to more people while having a minimal impact on the program. Implementation of this change would require contacting new employers, making updates to printed materials and the website. Most of the costs are expected to be incorporated into the proposed marketing and administrative costs.

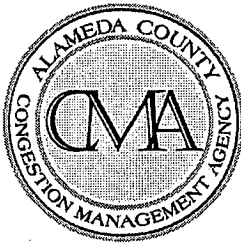
According to InfoUSA, a company that tracks businesses throughout the United States, Alameda County has 2,350 companies with 100 or more employees (131 or 6% are

currently registered with GRH) and 3,641 companies with 50 or more employees. InfoUSA does not have a tracking category for 75 employees, but by splitting the difference of the two numbers in half, 75 employee companies would account for about 670 prospective employers. However, not all employers will register with the program. Currently only 6% of eligible companies are registered. Six percent of 670 would account for about 40 new companies eligible for program if the cap is reduced to 75 employees. Although 40 companies would represent a sharp increase in employer and employee registration, the companies would not register all at one time. The companies will also register for the program over a span of several years, which also makes the transition easier for the program administration.

### **3. Organize a Rental Car and Instant Enrollment Marketing Campaign.**

Employers and employees are not fully aware of the benefits of the rental car option. In 2006, the program should organize and execute a campaign that provides more information regarding rental cars. This can be done through email and regular mail marketing materials. In addition, employer representatives have indicated that they need additional direction regarding the instant enrollment vouchers and the process of issuing them to employees. This can be a dual marketing campaign.

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ALAMEDA COUNTY  
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May 2, 2006  
Agenda Item 3.5

**Memorandum**

**Date:** April 24, 2006  
**To:** ACTAC  
**From:** Diane Stark, Sr. Transportation Planner  
**Subject:** West Oakland Community Based Transportation Plan

**Action Requested**

The Committee is requested to recommend that the Board review and accept the West Oakland Community Based Transportation Plan (CBTP). The Executive Summary is attached and a copy of the Draft CBTP is available on the CMA website.

**Next Steps**

The CMA Board will review the West Oakland Community Based Transportation Plan on May 25, 2006. After it is accepted by the Board, it will be finalized and distributed.

**Discussion**

Background

The West Oakland Community Based Transportation Plan is the result of a series of community meetings and surveys conducted in 2005-2006 to identify transportation solutions to improve mobility in West Oakland. The Plan was designed to build upon the findings of MTC's *2001 Lifeline Transportation Network Report*, which outlined a safety net of transit routes for low income people. Likewise, MTC's *Environmental Justice Report for the 2001 Regional Transportation Plan* also identified the need to support local planning efforts in low income communities throughout the region. MTC selected and funded the West Oakland Community Based Transportation Plan as one of four pilot projects in Alameda County. Central County CBTP was completed in 2004, and Berkeley and East Oakland were initiated earlier this year.

Process

To confirm transportation needs and solutions in West Oakland, the consultant team held a series of meetings with community groups and stakeholders, and, with the assistance of seven McClymonds High School students, conducted 620 surveys throughout West Oakland. The discussions and surveys acknowledged transportation needs and solutions identified in previous plans and studies and confirmed the remaining needs today. The top transportation needs the community identified were: better facilities for walking; transit to be less expensive, improved bus service on weekends, nights and early morning and more frequent daytime bus service; buying and operating a car to be less expensive, reducing air pollution from trucks and cars; need for special services for seniors and people with disabilities and



slower traffic. The community also expressed concern about overflow parking from BART and noise generated from the BART trains.

The top five solutions identified through the survey were increasing AC Transit service in the evenings and on weekends; providing a neighborhood shuttle service; making walking more attractive through lighting, sidewalks, trees, and other means; increasing the number of bus stop benches, canopies and enclosures, and reducing pollution from diesel emissions. Other solutions, such as grinding BART rails, were also included to address some of the other top needs.

Once transportation needs and potential solutions were identified, the consultant team compiled cost estimates and potential funding sources and sponsors based on a series of meetings with public agency staff including the City of Oakland, BART, AC Transit, the Port of Oakland, the Metropolitan Transportation Commission, CMA, and the Alameda County Transportation Improvement Authority (ACTIA).

#### Summary of the Results of the Community Based Transportation Plan

Twenty six potential transportation projects were identified through the plan. The project list, which is attached as part of the Executive Summary, is organized into three tiers according to funding feasibility. The Tier One group, which consists of 17 of the 26 projects, has the highest priority for short-term projects that are ready to go forward. That is, they have an identified project sponsor and are eligible for anticipated funding available in the next three years, or can be implemented through existing funding or partnerships. The remaining tiers are for longer term projects that are not ready to move forward within the next three years, as described below.

- TIER ONE projects can be directly linked to a specific, identified funding source available between 2006 and 2009 OR they can be primarily implemented through agency partnerships, advocacy or policies.
- TIER TWO projects are linked to a possible funding source after 2009. Tier Two projects can be moved to Tier One when a specific near-term funding source is identified.
- TIER THREE projects have no known funding source *and* are beyond estimated available funds.

The project team, the Technical Advisory Committee, consisting of city, MTC, CMA, and transit agency and Port of Oakland representatives, and the West Oakland Project Area Committee (WOPAC), which represents business and community organizations throughout the project area, reviewed each project for community need, benefit, and project feasibility including sustainability of funding over time. Sustainability of a project over time is a concern for fund sources, such as Lifeline Transportation Funds, which only fund new projects for a three-year period. Alternative means of funding projects over time, therefore, must be considered, prior to establishing a new project or service. Since the transportation needs of West Oakland residents are numerous and diverse, the project list proposes a wide range of possible solutions. The Community-Based Transportation Plan does *not* rank each project or pit one solution against another. Rather, the plan attempts to link each proposed project with reasonably available, potential funding sources and to outline implementation strategies that will lead to transportation improvements. However, the Tier system focuses priorities on a group of projects in Tier One that are ready to advance within a three-year time frame.

Detailed project descriptions for each project are available in the Draft Plan, which will shortly be available on the CMA website. The "AC Transit Bus Transit and/or new Community Shuttle" project is a compilation of 8 AC Transit project and one community shuttle projects, which is being further developed, pending a meeting with AC Transit and community organizations in early May.

### Funding

A variety of funding sources were identified. Depending on the solution, the funding sources could include Lifeline Transportation Funds, Transportation for Livable Communities (TLC), Transportation Fund for Clean Air (TFCA), ACTIA (Measure B), State Environmental Justice and Community-Based Transportation Planning Grants or other fund sources. Funding was separated into capital and operating costs. Estimated costs will be incorporated into the final plan.

W. Oakland CBTP Project	Implementation Lead	Potential Funding Sources	Capital Cost	O&M Cost
<b>TIER ONE Projects (funding 2006-2009)</b>				
<b>NEIGHBORHOOD BUS AND SHUTTLE SERVICES</b>				
Improved AC Transit Bus Transit and/or new Community Shuttle. <i>NOTE: 8 AC Transit improvement projects and 1 community shuttle project were outlined in March and are summarized in Section 5 of the CBTP. The specific project(s) to be proposed for funding and implementation will be determined after further AC Transit/community organization meetings in May.</i>	AC Transit WOPAC	<ul style="list-style-type: none"> <li>▪ Lifeline Transportation Program (ACCMA and ACTIA)</li> <li>▪ BAAQMD Transportation Fund for Clean Air</li> <li>▪ BART Access Fund</li> <li>▪ City of Oakland</li> </ul>	TBD	TBD
BART Access Evening Shuttle	TBD	<ul style="list-style-type: none"> <li>▪ BART Station Access Improvement Fund</li> <li>▪ Air District's Transportation Fund for Clean Air (TFCA)</li> <li>▪ Lifeline Transportation Program (ACCMA and ACTIA)</li> </ul>	\$0	\$120,000 per year
Senior Shuttle Expansion	City of Oakland Bay Area Community Services (BACS)	<ul style="list-style-type: none"> <li>▪ Alameda County Transportation Improvement Authority (ACTIA) paratransit gap funding</li> <li>▪ Lifeline Transportation Program (ACCMA and ACTIA)</li> </ul>	\$65,000	\$85,000 per year
<b>BART NOISE AND PARKING</b>				
BART Noise Study	WOPAC City of Oakland	<ul style="list-style-type: none"> <li>▪ Caltrans Environmental Justice grants</li> </ul>	\$50,000-\$100,000	\$0
BART Rail Grinding	WOPAC	<ul style="list-style-type: none"> <li>▪ BART</li> </ul>	\$0	\$1,500 per pass-mile
BART Transit Village Parking – monitoring	WOPAC	<ul style="list-style-type: none"> <li>▪ BART</li> </ul>	TBD	TBD
<b>DIESEL TRUCK EMISSIONS, TRAFFIC AND PARKING</b>				
Truck Services at Oakland Army Base	West Oakland Toxics Reduction Collaborative	<ul style="list-style-type: none"> <li>▪ City of Oakland</li> <li>▪ Port of Oakland</li> </ul>	TBD	TBD
Truck Route Enforcement and	West Oakland Toxics	<ul style="list-style-type: none"> <li>▪ City of Oakland</li> </ul>	TBD	TBD

Education	Reduction Collaborative	<ul style="list-style-type: none"> <li>Port of Oakland</li> </ul>		
Diesel Truck Replacement	West Oakland Toxics Reduction Collaborative	<ul style="list-style-type: none"> <li>Port of Oakland</li> <li>BAAQMD Moyer Fund</li> </ul>	\$25,000 per truck	\$0
<b>PEDESTRIAN AND BICYCLE FACILITIES</b>				
Pedestrian Improvements / Bikes Lanes: Mandela, 8th, Wood	City of Oakland	<ul style="list-style-type: none"> <li>Bay Trail (ABAG)</li> <li>Air District's Transportation Fund for Clean Air (TFCA)</li> <li>MTC's Transportation for Livable Communities</li> <li>Lifeline Transportation Program (Alameda County Congestion Management Agency and Alameda County Transportation Improvement Authority)</li> <li>Transportation Development Act (TDA)</li> <li>ACTIA (Measure B)</li> <li>Regional Bicycle/Pedestrian Program (MTC)</li> <li>Local Bicycle/Pedestrian Program (ACCMA)</li> </ul>	\$1.4 million	\$0
7th Street Streetscape Project Phase I	City of Oakland	<ul style="list-style-type: none"> <li>MTC's Transportation for Livable Communities</li> <li>Safe Routes to Transit</li> <li>Air District's Transportation Fund for Clean Air (TFCA)</li> <li>TDA</li> <li>ACTIA (Measure B)</li> <li>Regional Bicycle/Pedestrian Program (MTC)</li> <li>Local Bicycle/Pedestrian Program (ACCMA)</li> <li>Lifeline Transportation Program (ACCMA and ACTIA)</li> </ul>	\$1.3 million	\$0
Bike Lanes: Market Street	City of Oakland	<ul style="list-style-type: none"> <li>ACTIA</li> <li>TDA</li> <li>TFCA</li> <li>Local Bicycle/Pedestrian Program (ACCMA)</li> </ul>	\$400,000	\$0
Bike Racks	WOPAC	<ul style="list-style-type: none"> <li>TDA via Oakland's CityRacks program</li> <li>BAAQMD's TFCA program</li> <li>ACTIA</li> </ul>	\$150 per rack	\$0

Cycles of Change	Cycles for Change ACTIA	<ul style="list-style-type: none"> <li>Alameda County Transportation Improvement Authority (ACTIA)</li> <li>Lifeline Transportation Program (ACCMA and ACTIA)</li> </ul>	\$0	\$90,000 for two years
<b>OTHER TIER ONE PROJECTS</b>				
Medical Service Access (Taxi Return)	TBD	<ul style="list-style-type: none"> <li>Lifeline Transportation Program (ACCMA and ACTIA)</li> <li>ACTIA Paratransit Gap funding</li> </ul>	\$0	\$50,000
Comprehensive Transportation/Land Use Plan	WOPAC	<ul style="list-style-type: none"> <li>Caltrans Environmental Justice grants</li> <li>MTC Transportation for Livable Communities (TLC) Planning Grant</li> </ul>	\$150,000	\$0
Project Implementation Assistance	WOPAC	<ul style="list-style-type: none"> <li>Lifeline Transportation Program (ACCMA and ACTIA)</li> <li>Alameda County Congestion Management Agency (ACCMA)</li> </ul>	\$0	TBD

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## Section 1: Executive Summary

### Introduction

The West Oakland Community-Based Transportation Plan (CBTP) was developed by the Alameda County Congestion Management Agency (ACCMA) through a series of meetings, surveys and other activities involving West Oakland residents and stakeholders. The ACCMA hired the MIG Team (MIG, Elmwood Consulting, Harley and Associates) to develop the plan with funding from the Metropolitan Transportation Commission. The planning process was designed to identify on-the-ground projects that will improve mobility for low-income West Oakland residents.

### Overview of Approach

The grass-roots approach identified barriers to mobility—problems in reaching grocery stores, schools, jobs, medical services and other key destinations—and designed local solutions to these barriers. The planning process also worked to link community organizations with transportation funding agencies and transportation planners on an on-going basis.

The project development approach built on previous transportation plans and studies in West Oakland. The project team worked closely with the West Oakland Project Area Committee (WOPAC), numerous West Oakland community organizations, a set of McClymonds High School student interns, and a Technical Advisory Committee (TAC) composed of local transportation agency representatives. These groups providing important input on community outreach, project design and implementation strategies. The roles, composition and purpose of these groups are explained in Section 2 of the West Oakland CBTP.

### Overview of Process

The West Oakland CBTP was created in four key phases that were conducted from November 2005 through April 2006.

#### 1. Existing Plan Review (November 2005)

The MIG Team reviewed previous planning efforts in West Oakland to identify strategies that had strong community support but had not yet been fully implemented. For example, the ACORN-Prescott Neighborhood Transportation Plan (1998) made a series of *detailed* recommendations for improved AC Transit services, a proposed community shuttle service and streetscape/pedestrian improvements. Similarly, the West Oakland Redevelopment Project Implementation Plan (2003) called for new bike lanes, eliminating truck traffic on neighborhood streets, a 24-hour non-polluting shuttle service, traffic calming projects to aid pedestrians, and other strategies. The West Oakland Environmental Indicators Project (2002) pointed towards high priority solutions with five indicators spotlighting air pollution, health risks, asthma rates, transit access/service and bikeable streets.

The MIG Team began the project identification process with these recommendations and those from other relevant transportation plans. A listing of specific existing plan recommendations is included in Section 3 of the West Oakland CBTP.

## **2. Community Outreach Survey and Discussions (December 2005 – January 2006)**

With assistance from seven McClymonds High School student interns and community stakeholders, the MIG Team surveyed 620 West Oakland residents on their transportation needs and solutions. The list of possible solutions for the survey was based on the plan recommendations described above. In conjunction with the survey, discussions were held with community groups on needs and solutions.

While the limited Community-Based Transportation Plan budget precluded a truly random and statistically valid survey, the team obtained a broad sample of opinions at eighteen neighborhood locations including neighborhood meetings, schools, senior centers, shopping areas and the West Oakland Library.

### ***Destination Needs***

The top five destination needs identified through the survey were:

- Grocery stores
- Medical appointments
- Downtown Oakland
- Shopping
- K-12 schools

These top destination needs were primarily addressed through the following proposed projects in the CBTP:

- Improved AC Transit Bus Transit and/or new Community Shuttle
- Senior Shuttle Expansion
- Medical Service Access (taxi return)
- All pedestrian and bicycle facility improvement projects (6 separate projects)
- Cycles for Change
- Comprehensive Transportation/Land Use Plan

### ***Transportation Needs***

The top five transportation needs identified through the survey were:

- Better facilities for walking—sidewalks, street lighting, trees, etc.
- BART and bus tickets to be less expensive
- More bus service on weekends, at night and early in the morning
- More frequent daytime bus service

- Buying and operating a car to be less expensive (purchase, insurance, gas, maintenance, etc.)

These top transportation needs were primarily addressed through the following proposed projects in the CBTP:

- All pedestrian facility improvement projects (3 separate projects)
- Traffic Calming: Peralta Street
- Youth Transit Subsidies
- Improved AC Transit Bus Service and/or new Community Shuttle
- Subsidized Car Sharing
- BART Access Evening Shuttle
- Comprehensive Transportation/Land Use Plan

### ***Solutions***

The top five solutions identified through the survey were:

- Providing a neighborhood shuttle service
- Increasing AC Transit service in the evenings and on weekends
- Making walking more attractive through lighting, sidewalks, trees, etc.
- Increasing the number of bus stop benches, canopies and enclosures
- Reducing pollution from diesel emissions.

These top solutions were primarily addressed through the following proposed projects in the CBTP:

- Improved AC Transit Bus Transit and/or new Community Shuttle
- Senior Shuttle Expansion
- All pedestrian facility improvement projects (3 separate projects)
- Truck Services at Oakland Army Base
- Truck Route Enforcement and Education
- Diesel Truck Replacement
- Comprehensive Transportation/Land Use Plan

The outreach process is described Section 4 of the West Oakland CBTP and the complete survey results are included in Section 5.

### **3. Community Group Discussions (February – April 2006)**

The MIG Team held a set of discussions on potential solutions with community groups, including the West Oakland Project Area Committee (WOPAC), the West Oakland Toxics Reduction Collaborative, the West Oakland Commerce Association, the Pacific Institute, the Environmental Indicators Project, and the Transportation Justice Working Group. These discussions helped to further focus the project's attention on solutions addressing:

- Truck traffic and emissions
- BART noise
- Inadequate bus services



- The cost of public transit
- The need to coordinate transportation planning with local land use decisions.

The proposed projects resulting from these meetings are described in Section 6 of the West Oakland CBTP.

#### 4. Funding and Planning Agency Discussions (February – March 2006)

The MIG Team held a set of discussions on potential projects and funding sources with public agencies including the City of Oakland, BART, AC Transit, the Port of Oakland, the Metropolitan Transportation Commission and the Alameda County Transportation Improvement Authority (ACTIA). These discussions included identifying projects already under consideration by public agencies that could meet specific needs identified by West Oakland residents in the Community-Based Transportation Plan.

The information from these meetings on funding and project feasibility is included in Sections 5 and 6 of the West Oakland CBTP.

### Project Scoring

All twenty-six proposed projects are eligible for future funding and implementation. Since the transportation needs of West Oakland residents are numerous and diverse, the project list proposes a wide range of possible solutions. The Community-Based Transportation Plan does *not* rank each project or pit one solution against another. Rather, the plan attempts to link each proposed project with reasonably available, potential funding sources and to outline implementation strategies that will eventually lead to *many* on-the-ground improvements. Each project has been assigned to a “tier” based on funding availability.

- **TIER ONE** projects can be directly linked to a specific, identified funding source available between 2006 and 2009 OR they can be primarily implemented through agency partnerships, advocacy or policies.
- **TIER TWO** projects are linked to a possible funding source after 2009. Tier Two projects can be moved to Tier One when a specific near-term funding source is identified.
- **TIER THREE** projects have no known funding source *and* are beyond estimated available funds.

## List of Projects

Below is the list of 26 identified projects discussed in further detail in Section 6 of the West Oakland CBTP. The projects are organized into three tiers according to their funding feasibility. Under each tier, projects are clustered according to type or mode.

Project	Implementation Lead	Potential Funding Sources	Capital Cost	O&M Cost
<b>TIER ONE Projects (funding 2006-2009)</b>				
<b>NEIGHBORHOOD BUS AND SHUTTLE SERVICES</b>				
Improved AC Transit Bus Transit and/or new Community Shuttle. <i>NOTE: 8 AC Transit improvement projects and 1 community shuttle project were outlined in March and are summarized in Section 5 of the CBTP. The specific project(s) to be proposed for funding and implementation will be determined after further AC Transit/community organization meetings in May.</i>	AC Transit WOPAC	<ul style="list-style-type: none"> <li>▪ Lifeline Transportation Program (ACCMA and ACTIA)</li> <li>▪ BAAQMD Transportation Fund for Clean Air</li> <li>▪ BART Access fund</li> <li>▪ City of Oakland</li> </ul>	TBD	TBD
BART Access Evening Shuttle	TBD	<ul style="list-style-type: none"> <li>▪ BART Station Access Improvement Fund</li> <li>▪ Air District's Transportation Fund for Clean Air (TFCA)</li> <li>▪ Lifeline Transportation Program (ACCMA and ACTIA)</li> </ul>	\$0	\$120,000 per year
Senior Shuttle Expansion	City of Oakland Bay Area Community Services (BACS)	<ul style="list-style-type: none"> <li>▪ Alameda County Transportation Improvement Authority (ACTIA) paratransit gap funding</li> <li>▪ Lifeline Transportation Program (ACCMA and ACTIA)</li> </ul>	\$65,000	\$85,000 per year
<b>BART NOISE AND PARKING</b>				
BART Noise Study	WOPAC City of Oakland	<ul style="list-style-type: none"> <li>▪ Caltrans Environmental Justice grants</li> </ul>	\$50,000-\$100,000	\$0
BART Rail Grinding	WOPAC	<ul style="list-style-type: none"> <li>▪ BART</li> </ul>	\$0	\$1,500 per pass-mile
Monitoring BART Transit Village Parking	WOPAC	<ul style="list-style-type: none"> <li>▪ BART</li> </ul>	TBD	TBD

<b>DIESEL TRUCK EMISSIONS, TRAFFIC AND PARKING</b>				
Truck Services at Oakland Army Base	West Oakland Toxics Reduction Collaborative	<ul style="list-style-type: none"> <li>City of Oakland</li> <li>Port of Oakland</li> </ul>	TBD	TBD
Truck Route Enforcement and Education	West Oakland Toxics Reduction Collaborative	<ul style="list-style-type: none"> <li>City of Oakland</li> <li>Port of Oakland</li> </ul>	TBD	TBD
Diesel Truck Replacement	West Oakland Toxics Reduction Collaborative	<ul style="list-style-type: none"> <li>Port of Oakland</li> <li>BAAQMD Moyer Fund</li> </ul>	\$25,000 per truck	\$0
<b>PEDESTRIAN AND BICYCLE FACILITIES</b>				
Pedestrian Improvements / Bikes Lanes: Mandela, 8th, Wood	City of Oakland	<ul style="list-style-type: none"> <li>Bay Trail (ABAG)</li> <li>Air District's Transportation Fund for Clean Air (TFCA)</li> <li>MTC's Transportation for Livable Communities</li> <li>Lifeline Transportation Program (Alameda County Congestion Management Agency and Alameda County Transportation Improvement Authority)</li> <li>Transportation Development Act (TDA)</li> <li>ACTIA (Measure B)</li> <li>Regional Bicycle/Pedestrian Program (MTC)</li> <li>Local Bicycle/Pedestrian Program (ACCMA)</li> </ul>	\$1.4 million	\$0
7th Street Streetscape Project Phase I	City of Oakland	<ul style="list-style-type: none"> <li>MTC's Transportation for Livable Communities</li> <li>Safe Routes to Transit</li> <li>Air District's Transportation Fund for Clean Air (TFCA)</li> <li>TDA</li> <li>ACTIA (Measure B)</li> <li>Regional Bicycle/Pedestrian Program (MTC)</li> <li>Local Bicycle/Pedestrian Program (ACCMA)</li> <li>Lifeline Transportation Program</li> </ul>	\$1.3 million	\$0

		(ACCMA and ACTIA)		
Bike Lanes: Market Street	City of Oakland	<ul style="list-style-type: none"> <li>ACTIA</li> <li>TDA</li> <li>TFCA</li> <li>Local Bicycle/Pedestrian Program (ACCMA)</li> </ul>	\$400,000	\$0
Bike Racks	WOPAC	<ul style="list-style-type: none"> <li>TDA via Oakland's CityRacks program</li> <li>BAAQMD's TFCA program</li> <li>ACTIA</li> </ul>	\$150 per rack	\$0
Cycles of Change	Cycles for Change ACTIA	<ul style="list-style-type: none"> <li>Alameda County Transportation Improvement Authority (ACTIA)</li> <li>Lifeline Transportation Program (ACCMA and ACTIA)</li> </ul>	\$0	\$90,000 for two years
<b>OTHER TIER ONE PROJECTS</b>				
Medical Service Access (Taxi Return)	TBD	<ul style="list-style-type: none"> <li>Lifeline Transportation Program (ACCMA and ACTIA)</li> <li>ACTIA Paratransit Gap funding</li> </ul>	\$0	\$50,000
Comprehensive Transportation/Land Use Plan	WOPAC	<ul style="list-style-type: none"> <li>Caltrans Environmental Justice grants</li> <li>MTC Transportation for Livable Communities (TLC) Planning Grant</li> </ul>	\$150,000	\$0
Project Implementation Assistance	WOPAC	<ul style="list-style-type: none"> <li>Lifeline Transportation Program (ACCMA and ACTIA)</li> <li>Alameda County Congestion Management Agency (ACCMA)</li> </ul>	\$0	TBD
<b>TIER TWO Projects (funding 2009 and beyond)</b>				
<b>TRANSIT AFFORDABILITY</b>				
Youth Transit Subsidies	TBD	<ul style="list-style-type: none"> <li>Lifeline Transportation Program (ACCMA and ACTIA)</li> <li>AC Transit</li> </ul>	TBD	TBD
<b>PEDESTRIAN AND BICYCLE FACILITIES</b>				
7th Street Streetscape Project	City of Oakland	<ul style="list-style-type: none"> <li>MTC's Transportation for</li> </ul>	TBD	\$0

Phase II		<ul style="list-style-type: none"> <li>Livable Communities</li> <li>Safe Routes to Transit</li> <li>Air District's Transportation Fund for Clean Air (TFCA)</li> </ul>		
Bike Lanes: Grand Avenue and 14th Street	City of Oakland	<ul style="list-style-type: none"> <li>ACTIA</li> <li>Regional Bicycle/Pedestrian Program (MTC)</li> <li>Local Bicycle/Pedestrian Program (ACCMA)</li> <li>Lifeline Transportation Program (ACCMA and ACTIA)</li> <li>Air District's Transportation Fund for Clean Air (TFCA)</li> </ul>	TBD	\$0
Traffic Calming: Peralta Street	City of Oakland	<ul style="list-style-type: none"> <li>City of Oakland</li> <li>TFCA</li> <li>TDA</li> <li>ACTIA Bicycle/Pedestrian</li> </ul>	\$100,000 (design)	\$0
<b>OTHER TIER TWO PROJECTS</b>				
Street Pavement Improvements	City of Oakland	<ul style="list-style-type: none"> <li>City of Oakland</li> </ul>	TBD	TBD
Subsidized Car Sharing	TBD	<ul style="list-style-type: none"> <li>Lifeline Transportation Program (ACCMA and ACTIA)</li> <li>BAAQMD's Transportation Fund for Clean Air</li> </ul>	\$0	\$110,000 per year
Youth Library Shuttle	Oakland Public Library	<ul style="list-style-type: none"> <li>Lifeline Transportation Program (ACCMA and ACTIA)</li> </ul>	TBD	TBD
<b>TIER THREE Projects (no known funding)</b>				
BART Underground	WOPAC	<ul style="list-style-type: none"> <li>BART</li> <li>Regional rail funding</li> </ul>	\$200-350 million per mile	TBD
Bikeway: Middle Harbor Shoreline Park	Port of Oakland	<ul style="list-style-type: none"> <li>Port of Oakland</li> <li>Lifeline Transportation</li> </ul>	TBD	TBD

		<p>Program (ACCMA and ACTIA)</p> <ul style="list-style-type: none"> <li>▪ BAAQMD's Transportation Fund for Clean Air (TFCA)</li> <li>▪ Regional Bicycle/Pedestrian Program (MTC)</li> <li>▪ Local Bicycle/Ped Program (ACCMA)</li> </ul>		
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Index	TIP ID	Sponsor	Project Title	Phase	FY	Req'd Activity	Date	Zone	Notes	Prev Zone
	Source	Prog'd Amount (\$x 1,000)					Req'd By			
2	ALA050036	ACCMA	SMART Corridors Operations & Management							
	STP	\$135	Con	05/06	Obligate Funds	6/30/06	R	Req submit'd 3/31/06	R	
3	ALA010063	AC Transit	Aquire 416 Bus Catalyst Devices							
	CMAQ	\$68	Con	04/05	Award into FTA Grant	6/30/06	R	\$68k obligated 4/28/05	G	
4	ALA030002	Ala. County	Vasco Road Safety Imps. Phase 1							
		\$3,900	R/W	04/05	Liquidate Funds	6/29/11	G	PSA executed 8/17/05	G	
5	ALA050021	Ala. County	East Ave Rehab (Windfeldt Rd. to E St.)							
	STP	\$505	Con	05/06	Obligate Funds	6/30/06	R	Req submit'd 3/31/06	Y	
		\$27	PSE	04/05	Liquidate Funds	2/28/11	G	PSA executed 6/17/05	G	
6	ALA050052	Ala. County	East Castro Valley Blvd/ Dublin Canyon Rd.							
	STP	\$572	Con	05/06	Obligate Funds	6/30/06	R		R	
	STP	\$44	PE	05/06	Submit First Invoice	7/20/06	Y	\$44k obligated 1/20/06	NA	
					Liquidate Funds	1/20/12	G	PSA Executed 4/11/06	G	
7	ALA990078	Berkeley	San Pablo Ave. Corridor Bicycle Path							
	CMAQ	\$1,034	R/W	06/07	Submit Req for Auth	3/1/07	G	ENV submittal 3/15/00	G	
8	ALA050020	Berkeley	Gilman Street Rehab							
	STP	\$705	Con	06/07	Submit Req for Auth	3/1/07	G	ENV submittal 9/20/05	G	
9	ALA050053	Berkeley	Piedmont Ave Reconstruction							
	STP	\$209	Con	05/06	Obligate Funds	6/30/06	R	Req submit'd 3/31/06	Y	
10	ALA050022	Fremont	Rehab on Various Sts							
	STP	\$2,172	Con	05/06	Obligate Funds	6/30/06	R	Req submit'd 3/27/06 TIP Amend pending to add ALA050057 funds	Y	
11	ALA050025	Hayward	Hesperian Blvd Rehab							
	STP	\$16	PSE	05/06	Obligate Funds	6/30/06	R	Req'd PSE with CON	R	
	STP	\$697	Con	05/06	Obligate Funds	6/30/06	R	Req submit'd 3/31/06	Y	
	STP	\$8	Env	05/06	Submit First Invoice	8/15/06	Y	\$8 obligated 2/15/06	NA	
					Liquidate Funds	2/15/12	G		G	
12	ALA050056	Hayward	West A Street Rehab							
	STP	\$8	PSE	05/06	Obligate Funds	6/30/06	R	Req'd PSE with CON	R	
	STP	\$109	Con	05/06	Obligate Funds	6/30/06	R	Req submit'd 3/31/06	Y	
	STP	\$5	ENV	05/06	Submit First Invoice	8/15/06	Y	\$5 obligated 2/15/06	NA	
					Liquidate Funds	2/15/12	G		G	
13	ALA030015	LAVTA	Acquire 25 Bus Catalyst Devices							
	CMAQ	\$175	Con	04/05	Drawdown FTA Grant	NA	NA	\$175k obligated 5/20/05 Awarded into Grant 6/30/05	G	
14	ALA030017	LAVTA	Exp. Bus -Route 70 & Subscript. Routes							
	CMAQ	\$89	Con	04/05	Drawdown FTA Grant	NA	NA	\$89k obligated 4/28/05 Awarded into Grant 6/30/05	G	
15	ALA050024	Livermore	South Vasco Rd Rehab							
	STP	\$300	Con	05/06	Obligate Funds	6/30/06	R	Req submit'd 3/31/06	Y	
16	ALA050054	Livermore	East Ave Rehab (Hillcrest to Loyola)							
	STP	\$158	Con	05/06	Obligate Funds	6/30/06	R	Req submit'd 3/31/06	Y	
17	ALA010021	Oakland	City of Oakland Street Resurfacing Program							
	STP	\$825	Con	05/06	Obligate Funds	6/30/06	R		Y	
18	ALA050023	Oakland	Rehab on Various Sts							
	STP	\$499	Con	05/06	Obligate Funds	6/30/06	R		Y	
	STP	\$1,074	Con	06/07	Submit Req for Auth	3/1/07	G		G	



*Timely Use of Funds Report -May 2006*  
*Federally Funded Locally Sponsored Alameda County Projects*

*ACTAC Agenda Item: 4.2.1*  
*Meeting Date: May 2, 2006*

Index	TIP ID	Sponsor	Project Title						
	Source	Prog'd Amount (\$x 1,000)	Phase	FY	Req'd Activity	Date Req'd By	Zone	Notes	Prev Zone
19	ALA050028	Oakland	Chinatown Ped Imps						
	CMAQ	\$1,282	Con	05/06	Obligate Funds	6/30/06	R		Y
		\$267	ENV	04/05	Liquidate Funds	5/17/11	G	PSA executed 6/21/05	G
	CMAQ	\$651	Con	06/07	Submit Req for Auth	3/1/07	G		G
20	ALA050039	Oakland	MacArthur Transit Hub Improvement Project						
	CMAQ	\$200	PE	05/06	Obligate Funds	6/30/06	R	Req Submit'd 3/15/06	R
	CMAQ	\$681	Con	06/07	Submit ENV package	6/30/06	NA	CE Determination 3/22/06	G
					Submit Req for Auth	3/1/07	G		G
21	ALA050026	San Leandro	Washington Ave Rehab						
	STP	\$445	Con	05/06	Obligate Funds	6/30/06	R	Req Submit'd 2/16/06	Y
		\$30	PSE	04/05	Liquidate Funds	2/24/11	G	PSA executed 5/17/05	G
22	ALA050055	San Leandro	Floresta Blvd Street Rehab						
	STP	\$185	Con	05/06	Obligate Funds	6/30/06	R	Req Submit'd 2/16/06	Y
23	ALA990015	Union City	UC Intermodal Station						
	CMAQ	\$1,124	Con	05/06	Obligate Funds	6/30/06	R	TLC \$ -in process of transferring to FTA Req submit'd 3/31/06	Y
	CMAQ	\$1,900	Con	05/06	Obligate Funds	6/30/06	R	TIP Amendment 05-21 Req submit'd 3/31/06	NA

Projects with new federal funding included in TIP Amendment 05-21 (These projects will be added to the Report upon FHWA approval of the Amendment)					
Index	TIP ID	Sponsor	Project Title	FY	Notes
	Source	Prog'd Amount (\$x 1,000)	Phase		
1	ALA050072	Ala. County	Castro Valley Blvd Pavement Rehabilitation		
	STP	\$83	PSE	07/08	
	STP	\$758	Con	08/09	
2	ALA050073	Berkeley	University Ave Reconstruction		
	STP	\$71	PSE	07/08	
	STP	\$559	Con	08/09	
3	ALA050082	Dublin	East Dublin BART Station Corridor Enhancements		
	CMAQ	\$130	PE	06/07	Sponsor will need to have an approved DBE
	CMAQ	\$154	PSE	06/07	
	CMAQ	\$1,459	Con	06/07	
4	ALA050083	Dublin	West Dublin BART Station Corridor Enhancements		
	CMAQ	\$60	PE	06/07	
	CMAQ	\$145	PSE	06/07	
	CMAQ	\$1,052	Con	06/07	
5	ALA050060	Emeryville <sup>1</sup>	San Pablo/ MacArthur Improvement		
	CMAQ	\$128	Con	06/07	
6	ALA050022	Fremont	Rehab on Various Sts		
	STP	\$2,850	Con	06/07	Project also has funds in current TIP.
7	ALA050071	Hayward	Rehab on Various Streets (Arterial Pavement Rehab)		
	STP	\$104	PE	06/07	
	STP	\$776	Con	07/08	
8	ALA050068	Livermore	Murrieta Blvd Pavement Rehabilitation		
	STP	\$486	Con	06/07	
9	ALA050023	Oakland	Rehab on Various Sts		
	STP	\$2,486	Con	07/08	Project also has funds in current TIP.
10	ALA050061	Oakland	Latham and Telegraph Improvement		
	CMAQ	\$2,470	Con	05/06	
11	ALA050069	San Leandro	Washington Ave Rehab -San Lorenzo Creek to I-880 O/C		
	STP	\$49	PE	06/07	
	STP	\$442		07/08	
12	ALA050070	Union City	Alvarado-Niles Pavement Rehabilitation		
	STP	\$5	PSE	07/08	
	STP	\$421	Con	08/09	
Notes: <sup>1</sup> MTC is temporarily the sponsor in the TIP.					

<b>Appendix A</b> <b>Definitions of the Required Activities per Resolution 3606 (Revised April 26, 2006)</b>			
Index	Required Activity	Definition	Deadline
1	Req Proj Field Rev	Per MTC Resolution 3606-Revised, "Implementing agencies are required to request a field review from Caltrans Local Assistance within 12 months of approval of the project in the TIP <sup>1</sup> , but no less than 12 months prior to the obligation deadline of construction funds. This policy also applies to federal-aid projects in the STIP. The requirement does not apply to projects for which a field review would not be applicable, such as FTA transfers, regional operations projects and planning activities. Failure for an implementing agency to make a good-faith effort in requesting and scheduling a field review from Caltrans Local Assistance within twelve months of programming into the TIP could result in the funding being reprogrammed and restrictions on future programming and obligations. Completed field review forms must be submitted to Caltrans in accordance with Caltrans Local Assistance procedures."	12 months from approval in the TIP <sup>1</sup> , but no less than 12 months prior to the obligation deadline of construction funds.
2	Sub ENV package	Per MTC Resolution 3606-Revised, "Implementing agencies are required to submit a complete environmental package to Caltrans for all projects (except those determined Programmatic Categorical Exclusion as determined by Caltrans at the field review), twelve months prior to the obligation deadline for right of way or construction funds. This policy creates a more realistic time frame for projects to progress from the field review through the environmental and design process, to the right of way and construction phase. If the environmental process, as determined at the field review, will take longer than 12 months before obligation, the implementing agency is responsible for delivering the complete environmental submittal in a timely manner. Failure to comply with this provision could result in the funding being reprogrammed. The requirement does not apply to FTA transfers, regional operations projects or planning activities."	12 months prior to the obligation deadline for RW or Con funds. (No change)
3	Approved DBE Program	Per MTC Resolution 3606-Revised, "Obligation of federal funds may not occur for contracted activities (any combination of environmental/ design/ construction/ procurement activities performed outside the agency) until and unless an agency has an approved DBE program and methodology for the current federal fiscal year. Therefore, agencies with federal funds programmed in the TIP must have a current approved DBE Program and annual methodology (if applicable) in place prior to the fiscal year the federal funds are programmed in the TIP. STP/CMAQ funding for agencies without approved DBE methodology for the current year are subject to redirection to other projects after March 1. Agencies should begin the DBE process no later than January 1 to meet the March 1 deadline. Projects advanced under the Expedited Project Selection Process (EPSP) must have an approved DBE program and annual methodology for the current year (if applicable) prior to the advancement of funds."	Approved program and methodology in place prior to the FFY the funds are programmed in the TIP.

Appendix A Definitions of the Required Activities per Resolution 3606 (Revised April 26, 2006)			
Index	Required Activity	Definition	Deadline
4	Sub Req for Auth	Per MTC Resolution 3606-Revised, "In order to ensure funds are obligated or transferred to FTA in a timely manner, the implementing agency is required to deliver a complete funding obligation / FTA Transfer request package to Caltrans Local Assistance by March 1 of the year the funds are listed in the TIP. Projects with complete packages delivered by March 1 of the programmed year will have priority for available OA, after ACA conversions that are included in the Obligation Plan. If the project is delivered after March 1 of the programmed year, the funds will not be the highest priority for obligation in the event of OA limitations, and will compete for limited OA with projects advanced from future years. Funding for which an obligation/ FTA transfer request is submitted after the March 1 deadline will lose its priority for OA, and be viewed as subject to reprogramming."	March 1 of FY in which funds are programmed in the TIP.
5	Obligate Funds/ Transfer to FTA	Per MTC Resolution 3606-Revised, "STP and CMAQ funds are subject to an obligation/FTA transfer deadline of May 31 of the fiscal year the funds are programmed in the TIP. Implementing agencies are required to submit the completed request for obligation or FTA transfer to Caltrans Local Assistance by March 1 of the fiscal year the funds are programmed in the TIP, and receive an obligation/ FTA transfer of the funds by May 31 of the fiscal year programmed in the TIP. For example, projects programmed in FY 2007-08 of the TIP have an obligation/FTA transfer request submittal deadline (to Caltrans) of March 1, 2008 and an obligation/FTA transfer deadline of May 31, 2008. Projects programmed in FY 2008-09 have an obligation request submittal deadline (to Caltrans) of March 1, 2009 and an obligation/FTA transfer deadline of May 31, 2009. No extensions will be granted to the obligation deadline."	May 31 of FY in which funds are programmed in the TIP.
6	Execute PSA	Per MTC Resolution 3606, "The implementing agency must execute and return the Program Supplement Agreement (PSA) to Caltrans in accordance with Caltrans Local Assistance procedures. The agency must contact Caltrans if the PSA is not received from Caltrans within 60 days of the obligation. This requirement does not apply to FTA transfers. Agencies that do not execute and return the PSA to Caltrans within the required Caltrans deadline will be unable to obtain future approvals for any projects, including obligation and payments, until all PSAs for that agency, regardless of fund source, meet the PSA execution requirement. Funds for projects that do not have an executed PSA within the required Caltrans deadline are subject to de-obligation by Caltrans.	Within 60 days of receipt of the PSA from Caltrans, and within six months from the actual obligation date. <sup>2</sup>

<b>Appendix A</b> <b>Definitions of the Required Activities per Resolution 3606 (Revised April 26, 2006)</b>			
Index	Required Activity	Definition	Deadline
7	Advertise Contract /Award Contract/Award into FTA Grant	Per MTC Resolution 3606-Revised, "For the Construction (CON) phase, the construction/equipment purchase contract must be advertised within 6 months of obligation and awarded within 9 months of obligation. However, regardless of the advertisement and award deadlines, agencies must still meet the invoicing deadline for construction funds. Failure to advertise and award a contract in a timely manner could result in missing the subsequent invoicing and reimbursement deadline, resulting in the loss of funding. Agencies must submit the notice of award to Caltrans in accordance with Caltrans Local Assistance procedures, with a copy also submitted to the applicable CMA. Agencies with projects that do not meet these award deadlines will have future programming and OA restricted until their projects are brought into compliance. For FTA projects, funds must be approved/awarded in an FTA Grant within one federal fiscal year following the federal fiscal year in which the funds were transferred to FTA."	Advertised within 6 months of obligation and awarded within 9 months of obligation.  <b>FTA Grant Award:</b> Within 1 year of transfer to FTA.
8	First Invoice Due/ Next Invoice Due	Per MTC Resolution 3606-Revised, "Funds for each federally funded (Environmental (ENV/ PA&ED), Preliminary Engineering (PE), Final Design (PS&E) and Right of Way (R/W) phase and for each federal program code within these phases, must be invoiced against at least once every six months following obligation. Funds that are not invoiced at least once every 12 months are subject to de-obligation. There is no guarantee that funds will be available to the project once de-obligated. Funds for the Construction (CON) phase, and for each federal program code within the construction phase, must be invoiced and reimbursed against at least once within 12 months of the obligation, and then invoiced at least once every 6-months there after. Funds that are not invoiced and reimbursed at least once every 12 months are subject to de-obligation by FHWA.  There is no guarantee that funds will be available to the project once de-obligated. If a project does not have eligible expenses within a 6-month period, the agency must provide a written explanation to Caltrans Local Assistance for that six-month period and submit an invoice as soon as practicable to avoid missing the 12-month invoicing and reimbursement deadline. Agencies with projects that have not been invoiced against and reimbursed within a 12-month period, regardless of federal fund source, will have restrictions placed on future programming and OA until the project is properly invoiced. Funds that are not invoiced and reimbursed against at least once every 12 months are subject to de-obligation by FHWA."	<b>For Con phase:</b> Once within 12 months of Obligation and then once every 6 months thereafter, for each federal program code.  <b>For all other phases:</b> Once within 6 months following obligation for each phase and federal program code.
8a		<b>Inactive Projects:</b> Per MTC Resolution 3606-Revised, "Most projects can be completed well within the state's deadline for funding liquidation or FHWA's ten-year proceed-to-construction requirement. Yet it is viewed negatively by both FHWA and the California Department of Finance for projects to remain inactive for more than twelve months. It is expected that funds for completed phases will be invoiced immediately for the phase, and projects will be closed out within six months of the final project invoice. Funds that are not invoiced and reimbursed at least once every 12 months are subject to de-obligation by FHWA. There is no guarantee the funds will be available to the project once de-obligated.	Funds must be invoiced and reimbursed against once every 12 months to remain active.

<b>Appendix A</b> <b>Definitions of the Required Activities per Resolution 3606 (Revised April 26, 2006)</b>			
<b>Index</b>	<b>Required Activity</b>	<b>Definition</b>	<b>Deadline</b>
9	Liquidate Funds	Per MTC Resolution 3606-Revised, "Funds must be liquidated (fully expended, invoiced and reimbursed) within six years of obligation. California Government Codes 16304.1 and 16304.3 places additional restrictions on the liquidation of federal funds. Generally, federal funds must be liquidated (fully expended, invoiced and reimbursed) within 6 state fiscal years following the fiscal year in which the funds were appropriated. Funds that miss the state's liquidation/ reimbursement deadline will lose State Budget Authority and will be de-obligated if not re-appropriated by the State Legislature, or extended (for one year) in a Cooperative Work Agreement (CWA) with the California Department of Finance. This requirement does not apply to FTA transfers."	End (June 30) of sixth State FY following FY of obligation.
10	Est. Completion Date/Project Close-out	<p>Per MTC Resolution 3606-Revised, "Implementing Agencies must fully expend federal funds on a phase one year prior to the estimated completion date provided to Caltrans. At the time of obligation, the implementing agency must provide Caltrans with an estimated completion date for that project phase. Any un-reimbursed federal funds remaining on the phase after the estimated completion date has passed, is subject to project funding adjustments by FHWA. Projects must be properly closed out within six months of final project invoice. Projects must proceed to construction within 10 years of federal authorization of the initial phase. Federal regulations require that federally funded projects proceed to construction within 10 years of initial federal authorization of any phase of the project.</p> <p>Furthermore, if a project is canceled, or fails to proceed to construction in 10 years, FHWA will de-obligate any remaining funds, and the agency is required to repay any reimbursed funds. If a project is canceled as a result of the environmental process, the agency does not have to repay reimbursed costs for the environmental activities. However, if a project is canceled after the environmental process is complete, or a project does not proceed to construction within 10 years, the agency is required to repay all reimbursed federal funds. Agencies with projects that have not been closed out within 6 months of final invoice will have future programming and OA restricted until the project is closed out or brought back to good standing by providing written explanation to Caltrans Local Assistance, the applicable CMA and MTC."</p>	<p><b>Est. Completion Date:</b> For each phase, fully expend federal funds 1 year prior to date provided to Caltrans.</p> <p><b>Project Close-out:</b> Within 6 months of final project invoice.</p>
<p>Notes: <sup>1</sup> Approval in the TIP: For administrative TIP Amendments it is the date of Caltrans approval. For formal TIP amendments, it is the date of FHWA approval.</p> <p><sup>2</sup> Per DOT letter from Caltrans Local Assistance to MPOs, regarding "Procedural Changes in Managing Obligations", dated 9/15/05.</p>			

Appendix B			
Federal At Risk Report Zone Criteria			
Required Activities per Resolution 3606 (Revised April 26, 2006)			
Required Activities Monitored by CMA <sup>1</sup>	Criteria Timeframes for Required Activities		
	Red Zone	Yellow Zone	Green Zone
Request Project Field Review	Project in TIP for more than nine (9) months, or obligation deadline for Con funds within 15 months.	Project in TIP for less than nine (9) months, and obligation deadline for Con funds more than 15 months away.	All conditions other than Red or Yellow Zones
Submit Environmental Package	NA	NA	NA
Approved DBE Program and Methodology	NA	NA	NA
Submit Request for Authorization (Env)	within two (2) months	within two (2) to six (6) months	All conditions other than Red or Yellow Zones
Submit Request for Authorization (PSE)	within four (4) months	within four (4) to eight (8) months	All conditions other than Red or Yellow Zones
Submit Request for Authorization (R/W)	within four (4) months	within four (4) to nine (9) months	All conditions other than Red or Yellow Zones
Submit Request for Authorization (Con)	within six (6) months	within six (6) to nine (9) months	All conditions other than Red or Yellow Zones
Obligation/ FTA Transfer	within two (2) months	within two (2) to four (4) months	All conditions other than Red or Yellow Zones
Advertise Construction	within four (4) months	within four (4) to six (6) months	All conditions other than Red or Yellow Zones
Award Contract	within six (6) months	within six (6) to nine (9) months	All conditions other than Red or Yellow Zones
Award into FTA Grant	within two (2) months	within two (2) to four (4) months	All conditions other than Red or Yellow Zones
Submit First Invoice	within two (2) months	within two (2) to four (4) months	All conditions other than Red or Yellow Zones
Liquidate Funds	within four (4) months	within four (4) to nine (9) months	All conditions other than Red or Yellow Zones
Project Closeout	within four (4) months	within four (4) to nine (9) months	All conditions other than Red or Yellow Zones
Other Zone Criteria			
Red Zone	Projects with funds programmed in the same FY for both a project development phase (i.e. Env or PSE) and a capital phase (i.e. R/W or Con) without the project development phase(s) obligated.		
Yellow Zone	Projects with an Amendment to the TIP pending.		
Notes: <sup>1</sup> For all of the Required Activities of Resolution 3606, please refer to Appendix A of the report.			

### Appendix C Date of Last Invoice

Per Resolution 3606 (Revised April 26, 2006), following Obligation, funds for each federally funded phase must be invoiced against at least once every six months. With the exception of the Con phase for which the first invoice must be submitted within 12 months of Obligation and then once every 6 months thereafter. Funds that are not invoiced and reimbursed against at least once every 12 months are subject to de-obligation by FHWA.

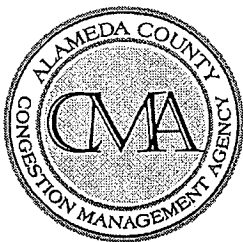
Sponsors should submit only the following documentation to the CMA Project Monitoring Team related to invoices: Excerpts from the invoice package that show the invoice number, date, and amount, along with the signature of the agency representative.

Index	TIP ID/ Sponsor Project	Source	Prog'd Amount (\$x 1,000)	Phase	FY	Obligation Date	Date of Last Invoice	Months <sup>2</sup> Since Last Invoice
1	ALA030002/ Ala. County Vasco Road Safety Imps. Phase 1	STP	\$3,900	R/W	04/05	6/29/05	See Note <sup>1</sup>	?
2	ALA050021/ Ala. County East Ave Rehab (Windfeldt Rd. to E St.)	STP	\$27	PSE	04/05	2/28/05	See Note <sup>1</sup>	?
3	ALA050052/ Ala. County East Castro Valley Blvd/ Dublin Canyon Rd.	STP	\$44	PE	05/06	1/20/06	See Note <sup>1</sup>	?
4	ALA050025 /Hayward Hesperian Blvd Rehab	STP	\$8	ENV	05/06	2/15/06	See Note <sup>1</sup>	?
5	ALA050056/ Hayward West A Street Rehab	STP	\$5	ENV	05/06	2/15/06	See Note <sup>1</sup>	?
6	ALA050028/ Oakland Chinatown Ped Imps	CMAQ	\$267	ENV	04/05	5/17/05	See Note <sup>1</sup>	?
7	ALA050026/ San Leandro Washington Ave Rehab	STP	\$30	PSE	04/05	2/24/05	See Note <sup>1</sup>	?

**Notes:** <sup>1</sup> Please submit a copy of the last invoice (without supporting documentation) to the CMA, Attn: Project Monitoring.  
<sup>2</sup> Partial months are rounded up to full months ( i.e. 4 months and 1 day = 5 months).



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ALAMEDA COUNTY  
CONGESTION MANAGEMENT AGENCY

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2560 • FAX: (510) 836-2185  
E-MAIL: mail@accma.ca.gov • WEB SITE: accma.ca.gov

**Memorandum**

*May 2, 2006*  
*Agenda Item 4.2.2*

**DATE:** April 25, 2006  
**TO:** ACTAC  
**FROM:** Matt Todd, Senior Transportation Engineer  
**RE:** **Inactive Federal-Aid Projects in Alameda County  
Project List and Instructions from Caltrans**

**Action Requested**

The ACTAC is requested to review the attached information related to projects identified as "inactive" by the FHWA and Caltrans, and to follow up with the appropriate project personnel to ensure that the requested information is provided to Caltrans Local Assistance (District 4 – Oakland) by May 17, 2006.

**Discussion**

Caltrans and the FHWA have published a list of statewide projects with varying durations of inactivity. The CMA recently received an email from MTC with a link to a page at the Caltrans Local Programs Website which provides current information about the projects and instructions for any required activity(ies). The CMA filtered the statewide list to create a list of just the locally sponsored projects in Alameda County. The filtered list is included as Attachment D to this memorandum. (Note: some columns were removed from the master spreadsheet to create the attached list, sponsors are encouraged to visit the Caltrans Website to review the entire spreadsheet and other information not attached to this memo.)

The following are attached:

- Attachment A: 1-page email from MTC dated 4/20/06 with link to Caltrans Website
- Attachment B: 2-page letter from Terry Abbott dated 4/19/06 regarding "Inactive Obligations"
- Attachment C: 3-page document titled, "Inactive Projects – Quarterly Review"
- Attachment D: 1-page list (landscape) of Alameda County inactive projects excerpted from master list

Sponsors will need to download the spreadsheet from the Caltrans Website (at the link included in Attachment A) in order to review the full report and to provide the information requested in the columns at the right of the spreadsheet. The information is due to the District Local Assistance Engineer by May 17, 2006.

ACTAC May 2, 2006 Item 4.22  
Attachment A

Matthew Todd

1 of 1

**From:** Ross McKeown [RMcKeown@mtc.ca.gov]  
**Sent:** Thursday, April 20, 2006 4:24 PM  
**To:** Matthew Todd; Hisham Noeimi; Mike Duncan; Art Brook; Craig Tackabery; Sandy Wong; John Ponte; Shanna O'Hare; Guy Preston; David Chan; Maria Lombardo; Janet Spilman; Amin Surani; John Sighamony; Marcella Rensi  
**Cc:** Craig Goldblatt; Kenneth Kao; Sui Tan  
**Subject:** Inactive Obligations  
**Attachments:** inactive project - quarterly review 041906.pdf; background\_and\_instruction 04-19-06.doc



inactive project - background\_and\_in  
quarterly r... struction 04-...

The long-awaited Caltrans reporting on inactive projects has finally arrived, along with new Caltrans/FHWA requirements.

Please see the attached letter from Terry Abbott regarding the quarterly review of inactive projects. Caltrans is requesting the applicable information be provided to the Local Caltrans District Office by May 17 for the projects on the list. The Caltrans District 4 Office may also be sending out a notice to respond to the request. It is my understanding that projects that do not have an appropriate response are subject to de-obligation so it is important to provide Caltrans District 4 with the required information by the required due date.

The files and instructions for inactive projects are on local assistance website at:  
<http://www.dot.ca.gov/hq/LocalPrograms/QuarterlyReviewofInactiveProjects.htm>

You can download the files, then filter and sort as needed.

Please share this information with your project sponsors.

Feel Free to contact me if you have any questions.

Ross

→ Link to  
Caltrans  
Website

Ross McKeown  
Programming and Fund Management  
Programming and Allocations Section  
Metropolitan Transportation Commission  
Phone: 510-817-5842  
Fax: 510-817-5848  
rmckeown@mtc.ca.gov

ACTAC May 2, 2006 Item 4.2.2

**DEPARTMENT OF TRANSPORTATION**  
DIVISION OF LOCAL ASSISTANCE, **MS 1**  
1120 N STREET  
P. O. BOX 942874  
SACRAMENTO, CA 94274-0001  
PHONE (916) 653-1776  
FAX (916) 653-1905  
TTY (916) 653-4086

Attachment B  
1 of 2



*Flex your power!  
Be energy efficient!*

April 19, 2006

To: Metropolitan Planning Organizations  
Regional Transportation Planning Agencies  
Local Transportation Commissions

Dear Executive Director:

Subject: Quarterly Review on Inactive Obligations

The Federal Highway Administration (FHWA) has revised its regulations relating to project authorization and agreements and the effect on obligations of Federal-aid highway funds under 23 CFR Part 630, effective March 2, 2006. These changes were made to provide a systematic process to monitor projects, to provide greater assurance that the amounts of Federal funds obligated on a project reflect the current cost estimate, and to assure that funds no longer needed are deobligated in a timely manner.

Major revisions are as follow:

1. The request for Federal funds shall be supported by a documented cost estimate.
2. A process shall be developed and maintained to adjust project cost estimates. Federal funds obligated shall be revised within 90 days after it is determined that the estimated Federal share of the project costs has decreased by \$250,000 or more.
3. Inactive projects with unexpended Federal obligations shall be reviewed on a quarterly basis and Federal funds obligated for a project shall be revised within 90 days to reflect the current cost estimate, based on the following criteria:
  - Projects inactive for the past 12 months with unexpended balances more than \$500,000,
  - Projects inactive for the past 24 months with unexpended balances of \$50,000 to \$500,000, and
  - Projects inactive for the past 36 months with unexpended balances less than \$50,000.
4. Failure to comply with these requirements will result in FHWA revising the project obligations, withholding payment, withholding approval of further projects or taking other such actions as deemed appropriate.

Headquarter Division of Local Assistance staff will be working with District Local Assistance Engineers and FHWA staff on the quarterly review of inactive projects.

To assist the local agencies in identifying their inactive projects, the Division of Local Assistance has posted reports on inactive projects under "Inactive Projects – Quarterly Review" on the Division of Local Assistance internet website at <http://www.dot.ca.gov/hq/LocalPrograms/>. Background and instructions on how to view the files are provided. The reports are also available for download. Please review the project list and provide information requested for each inactive project to the District Local Assistance Engineers by May 17, 2006.

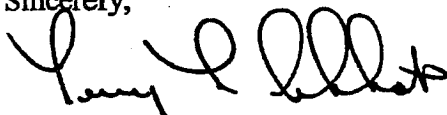
Consistent with the letter dated September 19, 2005, on Procedural Changes, Local Agencies should submit invoices for eligible costs, deobligate excess funds not needed and submit final invoices for projects that have been completed. Funds that are deobligated may be used to fund other projects.

In addition to the list of current inactive projects, Division of Local Assistance also provided a "look ahead" report that includes projects that will become inactive in a six (6) month period if no action is taken. This report provides an opportunity for the Local Agencies to be proactive in managing their projects and to prevent additional projects becoming inactive.

Division of Local Assistance will also be updating the procedural manual to reflect changes to comply with the final rulemaking. The revision will be distributed in the very near future.

Please contact Laura Quintana at 916-653-7200 if you have any questions.

Sincerely,



TERRY L. ABBOTT  
Chief  
Division of Local Assistance

- c: District Local Assistance Engineers  
Deputy District Directors for Local Assistance  
Laura Quintana  
Denix Anbiah  
Yin-Ping Li

## Inactive Projects – Quarterly Review

### Background

The Federal Highway Administration (FHWA) has revised its regulations related to project authorization and agreements and the effect on obligations of Federal-aid highway funds under 23 CFR Part 630, effective March 2, 2006. These changes were made to provide a systematic process to monitor projects, to provide greater assurance that the amounts of Federal funds obligated on a project reflect the current cost estimate, and to assure that funds no longer needed are deobligated in a timely manner.

One of the changes is the requirement to review inactive obligations based on the following criteria:

- a. Projects inactive for the past 12 months with unexpended balances more than \$500,000,
- b. Projects inactive for the past 24 months with unexpended balances of \$50,000 to \$500,000, and
- c. Projects inactive for the past 36 months with unexpended balances less than \$50,000.

Using the above criteria, the Division of Local Assistance (DLA), Office of Project Delivery, has created reports for locally federal funded projects based on data from FHWA's database (FMIS). Additional information such as responsible agency is added to the report for ease of project identification.

The following types of projects have been excluded from the lists:

- FTA transfer projects
- Rail projects
- Projects with final invoice submitted to the Department
- Projects administered by the State

### Action Requested and Due Date

Local Agencies should review their current inactive projects and provide an action plan by responding to the questions included on the report. Responses should be submitted to the DLAEs by **Wednesday, May 17, 2006**. To simplify the consolidation of the information received, please do not make any changes to the format.

For any projects that has no action date specified in the action plan or has an action date later than June 20, 2006, justification is required as to why an invoice or deobligation request cannot be submitted prior to the end of the quarter. It is critical for the Local Agencies to fulfill their action plans. The action plans will be shared and reviewed with FHWA. If no action is taken by June 30, projects will continue to appear on FHWA's inactive project list for the following quarterly review. Local Agencies that do not meet

their commitment or do not submit an action plan will risk deobligation of the federal funds by FHWA.

In addition, DLA might contact Local Agencies to discuss specific inactive projects with large unexpended balances.

#### Instructions for Accessing the Files

To open file, click on the blue link next to the document title.

To save each file, after the file is open, click on **File/Save as/** to save file.

#### Auto Filter Feature

The auto filter function is turned on for each spreadsheet to allow easy filtering by criteria.

For example, to view projects in a MPO area, click on the arrow in the MPO column and select particular MPO from the drop down list. Only projects with the selected MPO will appear in the file.

Multiple criteria can be selected such as Local Agency and Unexpended Balance.

#### Files on the Website

Document Name	Content
All Local Projects with Accounting Status 4A or 6A	Projects in FMIS that are not closed or withdrawn; Caltrans Accounting Status 4A or 6A or to be established. <b>n/a</b> – Fund has been authorized but pending system update. <b>4A</b> – Fund has been authorized but Local Agency has not submitted any invoice yet. <b>6A</b> – Local Agency has submitted an invoice.
Summary	Summary of Projects in the different categories.
Current Inactive Projects	
Unexpended Balance less than \$50k	Projects with obligations inactive for 36 months or more and with unexpended balance less than \$50k.
Unexpended Balance between \$50k and \$500k	Projects with obligations inactive for 24 months or more and with unexpended balance between \$50k and \$500k.
Unexpended Balance greater than	Projects with obligations inactive for 12

\$500k	months or more and with unexpended balance greater than \$500k.
6 Months Look Ahead Report	
Unexpended Balance less than \$50k	Projects with obligations inactive for 30 months to 36 months and with unexpended balance less than \$50k. These obligations will become inactive in the next 6 months if no action is taken.
Unexpended Balance between \$50k and \$500k	Projects with obligations inactive for 18 months to 24 months and with unexpended balance between \$50k and \$500k. These obligations will become inactive in the next 6 months if no action is taken.
Unexpended Balance greater than \$500k	Projects with obligations inactive for 6 months to 12 months and with unexpended balance greater than \$500k. These obligations will become inactive in the next 6 months if no action is taken.
All Other Currently Active Projects	
Unexpended Balance less than \$50k	Projects with obligations inactive for less than 30 months and with unexpended balance less than \$50k.
Unexpended Balance between \$50k and \$500k	Projects with obligations inactive for less than 18 months and with unexpended balance between \$50k and \$500k.
Unexpended Balance greater than \$500k	Projects with obligations inactive for less than 6 months and with unexpended balance greater than \$500k.



Alameda County Local Projects with Accounting Status 4A or 6A (FMIS Report dated 4/5/2006)

File based on Master file for All Projects at

<http://www.dot.ca.gov/hq/LocalPrograms/QuarterlyReviewofInactiveProjects>

Project No	DLA Responsible Agency	Description	Last Billed	No. of Mos Inactive	Auth Date	Total Proj Cost	Federal Funds	AC Funds	Expended	Unexpended Funds	Accrual/ Unbilled	PE Auth Date	R/W Auth Date	Const Auth Date
6002003	Alameda - Contra Costa Transit District	AREAWIDE, STUDY(UPDATE CMA TRAVEL DEMAND MDL)	1/21/98	98.5	2/1/95	\$145,714.00	\$129,000.00	\$0.00	\$119,717.89	\$9,282.11	\$0.00	2/1/95		
6273018	Alameda County Congestion Management Agency	I-680(SUNOL GRADE) S.B. AUXILLARY LANE-PHASE I, ADDING A SOUTHBOUND AUXILLARY LANE	7/29/02	44.3	3/1/00	\$4,061,274.00	\$3,249,019.00	\$0.00	\$2,986,959.12	\$262,059.88	\$0.00			3/1/00
8801021	Metropolitan Transportation Commission	IN OAKLAND AT THE 98TH AVE I/C., RECONSTRUCT I/C AND CONSTRUCT SW	5/25/95	130.5	3/1/94	\$3,640.00	\$3,222.74	\$0.00	\$3,221.46	\$1.28	\$0.00		3/1/94	
A205002	Oakland	98TH AV E ST - N/L MACARTHUR BL, PE, ROW, RECONSTR WIDEN & SIG	9/30/92	162.2	5/1/84	\$604,351.00	\$518,956.00	\$0.00	\$518,956.00	\$0.00	\$0.00	5/1/84	5/1/84	
A205002	Oakland	98TH AV E ST - N/L MACARTHUR BL, PE, ROW, RECONSTR WIDEN & SIG	9/30/92	162.2	5/1/84	\$1,101,999.00	\$952,568.00	\$0.00	\$918,645.61	\$33,922.39	\$0.00	5/1/84	5/1/84	
5354008	Union City	VARIOUS LOCATIONS (SEE STATE COMMENTS), SEISMIC RETROFIT			9/1/96	\$50,000.00	\$44,265.00	\$0.00	\$0.00	\$44,265.00	\$0.00	9/1/96		

ACTIVE May 2, 2006 Item 4.2.2  
Attachment D  
1 of 1

**DISADVANTAGED BUSINESS ENTERPRISES;  
WESTERN STATES GUIDANCE FOR PUBLIC TRANSPORTATION PROVIDERS  
Overview**

**Date Prepared:** April 25, 12006  
**Prepared For:** ACCMA – Staff Report

**Note:** Issues regarding the Federal Transit Administration's (FTA) implementation of Department of Transportation (DOT) guidance for participants of the Disadvantaged Business Enterprise (DBE) program, applicable to participants of Federal financial assistance from the Federal Transit Administration (FTA) located in the states under the U.S. Court of Appeals for the 9<sup>th</sup> Circuit (California, Oregon, Washington, Alaska, Arizona, Idaho, Montana, Nevada, and Hawaii).

**Summary - General Counsel Status:** The general counsel of the Department of Transportation reviewed and approved guidance concerning the effects of the Western States Paving Co. v. United States & Washington State Department of Transportation, 407 F. 3d 983 (9<sup>th</sup> Cir.2005), court decision on participants in the Department's disadvantaged business enterprise(DBE) program. The Court of Appeals for the 9<sup>th</sup> Circuit, reviewed the Department of Transportation's DBE program, held that 49CFR Part 26 and the authorizing statute for the DBE program TEA -21 are constitutional. The court upheld congressional determination that there is a compelling need for the DBE program and the DOT rules at Part 26 are narrowly tailored to meet that need. However, the 9<sup>th</sup> Circuit held that the DBE Program Administered by the Washington State Department of Transportation was NOT narrowly tailored because the evidence of discrimination supporting the use of RACE-CONCIOUS Measures in the program was inadequate.

The primary Guidance FHWA issued to its DO's including and in particular those falling under the 9<sup>th</sup> Circuit on their goal setting methodologies and submission. All Western States are proceeding forward to pull together disparity (studies) for determining whether there is discrimination in support of having race-conscious measures. With the exception of California, most states have already gone on all race neutral programs.

NOTE: The federally mandated DBE program itself was NOT declared unconstitutional.

Caltrans Time – Line: It is highly likely that effective May 1, 2006 Caltrans will move forward with a race-neutral program.

**Local Recipients - Anticipated Changes:**

The Race Neutral DBE Program is one that is, or can be, used to assist small businesses and focuses on developing the business practices of small business, pursuant to 49 CFR, part 26.5. There is generally no difference in how the DBE program regulations apply to race-and gender neutral programs.

Recipients having a race-neutral program are not required to establish contract goals to meet any portion of their overall goals.

**Contracts:** There is no retroactive application. There is no impact on contracts wholly funded by the local agency or State of California legislatively enacted preference programs, such as SBE, DVBE.

(If full execution of the contract award documents has occurred prior to the Departments change to a race-neutral program, federal –aid contracts with race-conscious DBE goals will continue unchanged and not be affected).

**Local Agency Changes:** If the department continues there will be no changes to the current program. If the Departments decision is to change to a race neutral program, local agencies must also change to a race-neutral DBE program immediately to maintain federal fund eligibility.

The following will apply:

1. Implement a statewide race-neutral program prepared by the Department.
2. No longer advertise and award contracts with federal funds containing race-conscious DBE goals.
3. Procurements shall contain A DBE Availability Advisory Statement, some may contain percentages.

Local Agency Response Time- line due by June 1, 2006: The following will need to be submitted to DLAE if the decision is to change to a race-neutral DBE program:

1. Submit to the DLAE their completed" Race -neutral DBE Implementation Agreement".
2. Submit to the DLAE by June 1, 2006 their" DBE Annual Submittal Form: for FFY Oct 1, 2006/Sept 30, 2007. (This information will also be used in setting the DBE statewide overall goal for the disparity study that Caltrans will be conducting).

The DLAE will enter by June 15, 2006 each local agencies submitted annual anticipated DBE participation level and estimated project costs. By July 1, 2006 the DLAE is to complete the review and approval/disapproval of each local agency's "Race-neutral Implementation Agreement".

**Conclusion:**

Boiler plates will be provided to local agencies for guidance through these processes. The primary focus will be the implementation plan, any necessary amendments to current program, estimated project cost for FFY2006/2007, program evaluation, analysis and stat's for statewide participation, monitoring, tracking and utilization for breakout of race-neutral and race conscious participation. Information is tentative pending decision by Caltrans on May 1, 2006.

Anue Management Group, Inc.  
Kaye Stevens  
Robert Benson

**FOR CALTRANS & LOCAL AGENCY USE**  
**FREQUENTLY ASKED QUESTIONS (FAQS)**  
**DISADVANTAGED BUSINESS ENTERPRISE (DBE)**  
**RACE NEUTRAL PROGRAM**

Updated April 19, 2006

**Introductory Comments to Readers:**

These questions and answers apply only to recipients of Federal financial assistance from the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and Federal Aviation Administration (FAA) located in the states comprising the 9<sup>th</sup> Federal Judicial Circuit. These states are California, Oregon, Washington, Alaska, Arizona, Idaho, Montana, Nevada, and Hawaii.

These questions and answers do not apply to recipients in other states.

These questions and answers apply only to the disadvantaged business enterprise programs (DBE) of recipients of Federal financial assistance governed by 49 CFR Part 26.

Please be advised that the information provided in this and any subsequent Frequently Asked Questions (and Answers) will apply only if and when the Department decides that it is necessary to change from its current race conscious DBE Program to a race neutral DBE Program.

The tentative date for this decision is May 1, 2006. All affected Departmental Divisions/Offices and Local Agencies will be immediately notified if the decision to change to a race neutral program is made. Until then, it is "business as usual."

1. Q: *What is a Race Neutral DBE Program?*

A: Pursuant to 49 Code of Federal Regulations (CFR) Part 26.5, a *race neutral* measure or program is one that is, or can be, used to assist all small businesses. Race neutral measures focus on developing the business practices of all small businesses, not just DBEs.

1. (a) Q. *"If recipients (in this case Caltrans- our addition) will be operating an all-race neutral DBE program in FY 2006 or subsequent years, what should such a program include?"*

(Readers please note - this question and answer was reviewed and approved by the General Counsel of the United States Department of Transportation as being consistent with the language and intent of 49 CFR Part 26, and as such is being directly quoted.)

- A. "With few exceptions, generally there is no difference in how the DBE program regulations apply to a race- and gender-neutral program (hereafter race-neutral) as compared to a race- and gender-conscious program (hereafter race-conscious).

In a wholly race- neutral program (e.g., the annual overall DBE goal has been approved with no portion of it projected to be attained by using race- and gender-conscious means) the recipient does not set contract goals on any of its US DOT-assisted contracts for which DBE subcontracting possibilities exist. Recipients having an all race-neutral program are not required to establish contract goals to meet any portion of their overall goal.

Recipients should take affirmative steps to use as many of the race-neutral means of achieving DBE participation identified at 49 CFR 26.51(b) as possible to meet the overall goal and to demonstrate that you are administering your program in good faith. The Department expects that recipients using all race-neutral programs will use methods such as unbundling of contracts, technical assistance, capital and bonding assistance, business development programs, etc., rather than waiting passively for DBEs to participate.

The good faith efforts requirements in 49 CFR 26.53 that apply when DBE contract goals are set have no required application to recipients implementing a race-neutral program. However, recipients must continue to collect the data required to be reported in the Uniform Report of DBE Awards or Commitments and Payments Form (see §26.11) and to monitor compliance with the commercially useful function requirements.

The prompt payment and retainage requirements of 49 CFR 26.29 are race-neutral mechanisms designed to benefit all subcontractors, DBEs and non-DBEs alike. Recipients using all race-neutral programs must continue to implement them.

The requirement that DBEs must perform a commercially useful function to receive credit toward the overall goal applies to race neutral programs just as it does to programs that use race-conscious means to meet program objectives.

It is helpful for recipients to maintain an effective monitoring and enforcement program to track DBE participation obtained through race neutral means that the recipient claims credit (see 49 CFR 26.37 (b))."

2. Q: *Why must Caltrans now considering the adoption of solely "race neutral" measures on federally funded contracts?*

A: A recent Ninth Circuit Court of Appeals decision involving the Washington

State Department of Transportation (WSHDOT) held that WSHDOT lacked sufficient evidence to support the use of race conscious measures on federal-aid contracts.

It is important to note that the federally mandated DBE Program itself was not declared unconstitutional.

The Ninth Circuit's decision is controlling authority for California and other Western States within its jurisdiction.

After an assessment by the Department of its DBE program and the use of race conscious goals on individual contracts, the Department was concerned that its program may not meet the new evidentiary standards established by the Ninth Circuit.

3. Q: *What guidance has the U.S. Department of Transportation's Federal Highway Administration (FHWA) provided to the western states impacted by this court decision?*

A: By letter dated December 21, 2005, the Federal Highway Administration issued guidance to recipients in the Ninth Circuit regarding the effect of the Western States Paving decision. The guidance provides that recipients use of race-conscious goals must be predicated upon evidence of discrimination or its effects within the transportation contracting industry.

3. (a) *What steps is Caltrans taking to address the guidance issued in the FHWA letter dated December 21, 2005?*

A: In accordance with the FHWA letter and CFR 26, the Department initiated a 45-day public notice comment period on December 21, 2005, to invite maximum public participation and solicit comments regarding the Department's intent to consider the modification of the DBE program.

The 45-day public comment period ended on February 3, 2006. However, to allow more time for the submission of evidence and information, the Department extended the public comment period to March 20, 2006.

3. (b) *What actions will Caltrans be taking at the end of the public comment period?*

A: After consideration of all the comments and evidence received by March 20, 2006, the Department will determine whether it is able to continue with any level of a race conscious DBE program for the remainder of this federal fiscal year, or whether it is necessary to revise the goals to state the specified level of DBE participation will be achieved solely by race-neutral measures. The Department is also pursuing a

disparity study to support its DBE program in accordance with 49 CFR, Part 26.

4. Q: *What are the main differences between a Race Neutral and a Race Conscious DBE program?*

A: Federal regulations require that a recipient of federal highway and transit funds implement an approved DBE program that consists of establishing a DBE utilization goal and using race-neutral means to achieve the goal to the maximum extent possible. Where race-neutral measures prove inadequate to achieve the goal, states are required to use race-conscious measures, such as DBE participation goals for individual contracts. Like many State Transportation Agencies (STA), the Department and its sub recipients (local agencies) employ race-conscious measures consisting of DBE contract participation goals established on individual contracts.

The use of race conscious DBE participation goals on individual contracts meant that a bidder's failure to meet the goal or to demonstrate "good faith efforts" to do so would result in a non-responsive bid, and the contract would not be awarded to it.

In contrast, under a race neutral DBE program, all the Department's Federal Aid contracts will include a DBE Availability Advisory specification. In order to meet a statewide overall DBE goal, some of these contracts may contain a DBE Availability Advisory percentage. Bidders need not achieve the percentage stated in any DBE Availability Advisory, as a condition of award.

4. (a) *Would a change from a race conscious DBE Program to a Race Neutral DBE Program affect existing contracts?*

A: Changing from a race conscious to a race neutral DBE program would not have retroactive application, so contracts executed prior to the implementation date with race conscious DBE contract participation goals would not be affected by a new race neutral DBE program. In terms of contract monitoring, those prime contractors or prime consultants that were awarded contracts with race conscious DBE participation goals would still be required to meet those goals during performance of the contract. The request for DBE substitution process would also remain for the term of those contracts.

5. Q: *What types of contracts would the race neutral DBE Program apply to?*

A: The race neutral DBE Program would apply to any contract awarded

by the Department and Local Agencies with federal funding. These are commonly known throughout the Department as federal aid projects or contracts.

It is important to note that the race neutral DBE program would have absolutely no impact on wholly state-funded contracts awarded by the Department, nor will it impact other State of California legislatively enacted preference programs like the Small Business Preference, the Recycled Paper Preference, the Target Area Contract Preference Act, etc. It would also not affect wholly State funded contracts with Disabled Veteran Business Enterprise (DVBE) contract participation goals.

The race neutral DBE Program would also have no impact on any wholly local agency funded contracts awarded by the Department or local agencies.

6. Q: *Would there be a penalty for not subcontracting with a DBE under the "race neutral" program?*

A: There would be no penalty. Although contractors would be encouraged by the Department to continue to utilize DBE subcontractors and suppliers, it would not be mandatory under a DBE race neutral program.

7. Q: *What provisions would be in place to monitor/oversee/track the usage of DBE's?*

A: The adoption of a race neutral DBE Program will not relieve contractors from reporting DBE utilization.

8. Q: *Who is working on the Department's DBE race neutral program?*

A: There is currently a Departmental Race Neutral Working Group, including a representative from FHWA. One of its most important charges is to ensure that all "boilerplate" race-neutral contract specifications be completed and ready to implement should a change be announced by the Department.

Departmental staff in the work group include Division of Civil Rights DBE program staff, staff familiar with contracting and contract specifications from the Division of Engineering Services- Office Engineer, the Division of Construction, the Division of Procurement and Contracts, the Division of Local Assistance, the Division of Mass Transportation, the Division of Transportation Planning and the Legal Office.

9. Q: *Where can I obtain more information on DBE race neutral measures ?*

A: U.S. Department of Transportation, 49 Code of Federal Regulations (CFR), Part 26, and the FHWA guidance dated December 21, 2005.



10. Q: *Are "Good Faith Efforts (GFE)" still applicable under a DBE Program using race neutral measures such as a "DBE Availability Advisory" percentage in some contracts?*

A: Under a DBE "race neutral" program, a GFE process is not used.

11. Q: *What if an attorney representing a Contractor or subcontractor (DBE or non-DBE) has questions about the Department's possible change to a DBE race neutral program, to whom do I refer them to?*

A: The designated Contract Manager or Contract Analyst assigned to answer questions in the RFP or RFQ document. In Division of Engineering Services - Office Engineer contracts, bidders are directed in the bid documents as to where to direct inquiries.

If the Department adopts a race neutral program, current "boilerplate" contract specifications relative to the DBE program will be rewritten in easily understood language, so that all contractors and subcontractors interested in bidding and their attorneys should be able to understand them.

12. Q: *What divisions/programs in the Department would be affected directly by the DBE race neutral program?*

A: Any division/program that receives federal aid for projects and/or processes federal aid contracts would be affected by a change to a race neutral program.

13. Q: *Do we still need to report DBE commitments and Final Utilization under a DBE race neutral program?*

A: Yes. The proposed DBE race neutral measures do not change federal requirements to report DBE commitments at contract award and DBE final utilization at contract completion.

14. Q: *What will be used to replace race conscious DBE contract participation goals?*

A: Instead of race conscious DBE contract participation goals, contractors are encouraged to utilize DBEs. There will be also be a DBE Availability Advisory specification in all Federal aid contracts. In order to meet the overall statewide DBE goal, some of these contracts will have a DBE Availability Advisory percentage. Bidders need not achieve the percentage stated in any DBE Availability Advisory as a condition of award.

15. Q: *When will the Department begin to award federal aid contracts with DBE race neutral measures?*

A: If the Department decides it is necessary to change to a race neutral DBE Program, it will be announced. A tentative target date is May 1, 2006.

16. Q: *Would the Department award federal aid contracts to the "low bidder" under DBE race neutral measures?*

A: Yes, since the use of DBEs as subcontractors in a race neutral DBE program is voluntary on the part of contractors and consultants and is not a condition of contract award, contract award will be made to the responsible bidder submitting the lowest responsive bid.

17. Q: *Should Local Agencies continue with their existing DBE Program/Annual Goal?*

A: Yes, until the Department informs them otherwise.

18. Q: *Can a Local Agency change to a race neutral program now?*

A: No.

19. Q: *What changes will Local Agencies have to make if Caltrans changes to a race neutral program?*

**A: Pertinent guidance to Local Agencies is provided below:**

(Please note – use of the word "Department" refers to the California Department of Transportation)

At the time the Department makes its decision to either continue using a race-conscious DBE goal or to change to a race-neutral DBE goal, an announcement will be placed on the Local Assistance DBE website under Helpful Information and Resources.

If the Department's decision were to continue with a race-conscious DBE program, there would be no immediate change to the way local agencies are presently administering federal aid projects.

If the Department's decision is to change to a race-neutral program, local agencies must also change to a race-neutral DBE program immediately to maintain federal fund eligibility and shall observe the following:

- Immediately implement the statewide race-neutral DBE program prepared by the Department. Local agencies will not be permitted to continue with their own separate DBE programs unless such programs have been

approved directly by a federal agency. Local agencies are not required by the Department to initiate a 45-day public comment period to effect this change.

- No longer advertise and award contracts with federal aid funds containing race-conscious DBE goals. Subsequent federal-aid procurements shall contain race-neutral DBE contract language and all federal aid contracts shall contain a DBE Availability Advisory Statement. In order to achieve the overall established statewide overall DBE goal, some federal aid contracts may contain a DBE Availability Advisory percentage. Bidders need not achieve the percentage stated in any DBE Availability Advisory, as a condition of award.
- A contract change order or contract amendment to change from a race-conscious to a race-neutral DBE goal is not acceptable. Re-advertise with race-neutral language and the DBE Availability Advisory Specification, all federal-aid contracts with race-conscious DBE goals (this includes contracts with no goals), which have had bids opened or proposals received but contract award documents not yet fully executed. In order to achieve the overall statewide DBE goal, some contracts may contain a DBE Availability Advisory percentage. Bidders need not achieve the percentage stated in any DBE Availability Advisory, as a condition of award. Federal-aid contracts that have been advertised, but for which bids have not yet been opened or proposals received, may proceed with an addendum changing the contract provisions from race-conscious to race-neutral, with the aforementioned DBE Availability Advisory Specification, and if appropriate with the DBE Availability Advisory percentage.
- If full execution of the contract award documents has occurred prior to the Department's change to a race-neutral program, federal-aid contracts with race-conscious DBE goals will continue unchanged and not be affected.
- Local agencies will continue to collect and report anticipated DBE participation at award, and final utilization at completion of all federal-aid contracts.

**Executing the award of a contract with a race-conscious DBE goal after the Department has changed to a race-neutral DBE program will make the contract ineligible for federal-aid funding.**

The above information is being provided to ensure that agencies are fully informed, and to mitigate and minimize disruption and delays to local agency federal-aid procurements caused by a shift from a race-conscious DBE program to a race-neutral program. It is recommended that local agencies review their planned advertisements, bid openings and contract execution dates, and consider scheduling or extending bid openings a week or two after the May 1<sup>st</sup> timeframe. This would allow for extending bid openings and including the new race-neutral specifications, if required.

To help prepare local agencies should the change to a race-neutral occur, the Department is taking the following actions:

- Preparing race-neutral “Sample Notice to Contractors Special Provisions” and the “Sample Proposal and Contract” for use in federal aid construction contracts. Both are available for agencies to download from the Division of Local Assistance website at:

[http://www.dot.ca.gov/hq/LocalPrograms/DBE\\_CRLC/DBE\\_CRLC.html](http://www.dot.ca.gov/hq/LocalPrograms/DBE_CRLC/DBE_CRLC.html)

- Preparing race-neutral “Bidder/Proposer DBE Participation Requirements and Instructions” (Exhibit 10-I), and the “Sample DBE Participation Requirements” (Exhibit 10-J), in Chapter 10, “Consultant Selection,” of the Local Assistance Procedures Manual for use in federal-aid consultant contracts. Both are available for agencies to download from the Division of Local Assistance website under “Announcements” at:

[http://www.dot.ca.gov/hq/LocalPrograms/DBE\\_CRLC/DBE\\_CRLC.html](http://www.dot.ca.gov/hq/LocalPrograms/DBE_CRLC/DBE_CRLC.html)

Each local agency is encouraged to maintain contact with its District Local Assistance Engineer (DLAE) and bring to the DLAE’s attention any questions or special circumstances that need to be quickly addressed by the Department. DBE informational meetings at local agency locales have been held by the Department to answer questions and further assist local agencies with their federal-aid projects.

20. Q: *Why can’t local agencies have a grace period to implement a race neutral program?*

- A. If and when a recipient (in this case, Caltrans) determines that there is insufficient evidence of discrimination to justify contract goals, it will not be able to justify the use of contract goals. If it continues to use contract goals, it is operating a program that is inconsistent with the United States Department of Transportation’s (US DOT) guidance and is ineligible for federal-aid funding.

The Federal Highway Administration has informed Caltrans and local agencies that there is “One Goal/One Program” statewide, applicable to Caltrans, as the state’s primary federal aid recipient, as well to all sub recipient local agencies receiving federal aid funding through Caltrans. In summary, in order to qualify for federal aid funding, there can be no such thing as a “grace period” for either Caltrans or local agencies.

Due to the lack of a grace period, local agencies are recommended, as set forth in Answer 19, to review their planned advertisements, bid openings and contract execution dates, and consider scheduling or extending bid openings a week or two after the May 1<sup>st</sup> timeframe. This action would allow for

extending bid openings or dates for the receipt of proposals for the purpose of including the new race neutral specifications, if required.

21. Q: *What actions will be needed by Local Agency's board/council for approval?*

A: This decision will be determined by each Local Agency.

22. Q: *What business change occurs to the DBE Program if the Department determines that the program should consist of mixed components of race-conscious and race-neutral measures and how do Local Agencies then set project specific goals?*

A. With few exceptions, there is little difference in administering a mixed-component DBE Program, as compared to a program that consists of the use of contract goals.

In establishing its overall program goal, the Department must identify what portion of the overall goal will be met through race-conscious measures (setting a DBE goal on a contract) and race neutral measures facilitating DBE participation. For example, if the overall goal for 2005 is 16 percent and the Department estimates that it can obtain 6 percent DBE participation through race-neutral measures, the Department must plan to obtain the remaining 10 percent participation through the race conscious measure of the use of DBE goals.

Consistent with the federal regulations, contract goals are only to be used on those federally assisted contracts that have subcontracting opportunities. Achievement must be monitored throughout the year. If, during the course of the year, it is determined that the overall goal will be exceeded, contract goals will be reduced or eliminated to ensure that the overall goal is not exceeded. If it is determined that the overall goal is not being met, appropriate modifications to the use of race- neutral and/or race conscious measures must be made to meet the overall goal.

Local Agencies, receiving federal aid funding through the Department, must follow the procedures and dates used by the Department.

23. Q: *If a local agency currently has only a race neutral DBE goal do they have to do anything different if Caltrans moves to a race neutral DBE program?*

A. Yes, as local agencies will no longer have their own DBE Program, but will be included in and follow the Department's DBE Program. The Department will submit an annual overall DBE goal and program for the State of California to FHWA for approval. In addition, local agencies will need to use

the race neutral "Boiler Plate" provisions to be provided by the Department in their federal aid contracts.

24. Q: *At a meeting one local agency said they have to pay damages if they award a contract but later terminate the contract for convenience. Does that make sense? Does the Department have the same problem?*

A. In general, state agencies have the authority to cancel or terminate a contract for the convenience of the State. They may generally do so in accordance with the Department's Standard Specifications without any liability. Local agencies should consult with their own counsel regarding their respective liability for when terminating a contract for convenience after award.

25. Q: *At a Local Agency informational meeting the following question was asked: Can a local agency request in its Architectural and Engineering (A & E) solicitation documents for a federal aid project that the consultant submit two proposals, one marked DBE race conscious and the other DBE race neutral? Then when the Department decides what direction we must take, they open the proposal that applies to the given direction.*

A: As the local agency's question is understood, it would consist of a process in which the A&E solicitation would request consultants to submit two proposals, one based on a stated DBE goal (race-conscious proposal) and the other without a stated DBE goal (race-neutral proposal). This response is provided with respect to A&E services contracts to be awarded by the Department and to A&E services contracts, which are directly related to a construction project, awarded by local agencies.

The Department procures A&E services under the provisions of Government Code section 4525 et seq., which sets forth a qualifications based selection (QBS) process that is equivalent to the federal Brooks Act QBS procedures (40 USC section 1101). The Department must set forth in its Request for Qualifications (RFQ) (also commonly called a Request for Proposals (RFP) the requirements that must be met to be eligible for award of the contract and the selection criteria upon which the award decision will be based. To provide for full and open competition, proposers must be apprised of these requirements prior to the date for receipt of RFQs, as well as given a reasonable period to prepare their submissions in response to such requirements.

The "alternate proposals" concept would not fulfill the above requirements because, at the time of proposal submission, proposers would not know whether they must meet the DBE goal (or demonstrate good faith efforts to do so) or not to be eligible for award.

FHWA, by letter dated December 29, 2005, informed the Department of Section 174 of the federal FY 2006 Appropriations Act. Section 174 amended 23 United States Code (USC) section 112(b)(2) relating to the award of engineering and design services (A&E) contracts that are directly related to a construction project and use Federal-aid highway funding.

This amendment requires that all such federal-aid A&E contracts must be awarded pursuant to the QBS procedures of the federal Brooks Act. State and local agencies are no longer entitled to procure A&E contracts, directly relating to construction, with federal-aid highway funding using either "alternative" or "equivalent" Brooks Act procedures that were permitted prior to this amendment. This new requirement is applicable to all requests for proposals/qualifications issued on or after December 1, 2005.

As a result of the above amendment, local agencies must award A&E services contracts, directly related to a construction project, in the same manner as an A&E contract under the QBS procedures of the federal Brooks Act. Consequently, it appears that local agencies could not use the "alternate proposals" concept for these A&E services contracts.



## **LOCAL AGENCY DBE RACE NEUTRAL TIME LINE**

Please be advised that in the event that the California Department of Transportation (Caltrans) concludes it must implement a solely race-neutral DBE program, the following information is provided to assist local agencies that receive federal-aid funds for transportation projects. This information would be used in the transition from a race-conscious to a race-neutral DBE Program.

**Caltrans emphasizes that this information will apply ONLY IF Caltrans decides to implement a solely race-neutral DBE Program. Caltrans will announce its decision on the implementation of its DBE Program on May 1, 2006 (target date).**

The following dates and information are provided for planning purposes only and are subject to change; Caltrans cannot guarantee nor accept responsibility or liability for the information provided.

### **March 1, 2006:**

Posting of "Frequently Asked Questions" with answers regarding the possible DBE Program change from race-conscious to race-neutral on the Civil Rights Website ([http://www.dot.ca.gov/hq/bep/documents/CT\\_Internal\\_and\\_Local\\_Agency\\_External\\_FAQS\\_March\\_1\\_2006.doc](http://www.dot.ca.gov/hq/bep/documents/CT_Internal_and_Local_Agency_External_FAQS_March_1_2006.doc)) with a link from the DLA Website. **Note: This item was completed on 3/7/06.** The Frequently Asked Questions will be continually updated as new information becomes available.

### **April 14, 2006**

The following will be available on the Division of Local Assistance (DLA) Website at: <http://www.dot.ca.gov/hq/LocalPrograms/> to assist local agencies in preparing for the possible transition to a race-neutral DBE Program, if required:

- (1) Draft "Boiler Plate" race-neutral provisions for local agency federal-aid construction contracts. This document is being made available for local agency review, however, it can not be used unless Caltrans makes a decision to implement a race-neutral DBE Program.
- (2) Drafts of "Exhibits 10-I and 10-J" race-neutral provisions for local agency federal-aid consultant (Architect & Engineer) contracts. These documents are being made available for local agency review, however, they can not be used unless Caltrans makes a decision to implement a race-neutral DBE Program.
- (3) Draft of the local agency element of the "California Department of Transportation Disadvantaged Business Enterprise Program Plan" for information and use by local agencies on their federal-aid projects. This DBE Program Plan will replace both the local agencies' existing race-conscious DBE Programs and the Caltrans existing race-conscious DBE Program, if Caltrans's decision is to change to a race-neutral DBE Program. (The complete plan is targeted for completion on May 1<sup>st</sup>.)
- (4) A "DBE Race-neutral Implementation Agreement" to be used by the local agencies acknowledging their responsibilities under Caltrans race-neutral DBE Program. The form will need to be completed and submitted to the DLAE by June 1, 2006 by each local agency that currently has a DBE Program or will be receiving federal-aid funds for a transportation project. This agreement will need to be signed by the Public Works Director/City Engineer or equivalent level in the agency.





- (5) A "DBE Annual Submittal Form" to be completed and submitted by the local agency to the DLAE not later than June 1, 2006: This form will include:
  - a. The local agency's assessment of the level of DBE participation and utilization that the local agency expects could be attained on contracts during the 2006/2007 FFY (Federal Fiscal Year), the methodology for establishing this level, estimated total project costs for both construction and consultant contracts, etc.
  - b. Designated DBE Coordinator information (Name, phone number, e-mail address)
  - c. Local agency's choice for method of prompt pay
- (6) If the Caltrans' decision is to go to race-neutral DBE Program, an interim measure will be to use a revised version of Local Assistance Procedures Manual (LAPM) Exhibit 12-C "PS&E Certification". This revised "PS&E Certification" will be required for all projects, which have not been awarded/executed before the May 1, 2006 (target date). An "Authorization to Proceed" received prior to May 1, 2006 would have been based upon race-conscious provisions included in the PS&E documents or consultant advertisement documents. By completing this "PS&E Certification", the local agency certifies that race-neutral provisions were substituted in those contracts, prior to the bid or proposal opening or before awarding of the contract. Any addendum, if applicable, issued by the local agency along with the race-neutral provisions must accompany the revised "PS&E Certification" showing that race-neutral provisions were used.

**May 1, 2006**

- (1) If Caltrans' decision is to change to a race-neutral DBE Program, the following documents will be issued:
  - a. A Local Programs Procedures (LPP) changing the applicable guidance and provisions in the LAPM from race-conscious to race-neutral.
  - b. Finalized "Boiler Plate" race-neutral provisions for local agency federal-aid construction contracts.
  - c. Finalized "Exhibits 10-I and 10-J" race-neutral provisions for local agency federal-aid consultant (Architect & Engineer) contracts.
  - d. "California Department of Transportation Disadvantaged Business Enterprise Program Plan", for information and use by local agencies on their federal-aid projects. This combined DBE program will replace both the local agencies' existing race-conscious DBE Programs and the Caltrans existing race-conscious DBE Program.

**June 1, 2006**

The following will need to be submitted if the Caltrans decision is to change to a race-neutral DBE Program:

- (1) Local agencies shall submit to the DLAE their completed "Race-neutral DBE Implementation Agreement" formally acknowledging the local agencies responsibilities under the Caltrans race-neutral DBE Program. The agreement is to be completed by each local agency that currently has a DBE Program or will be receiving federal-aid funds in the future for a transportation project.
- (2) **Local agencies shall submit to the DLAE by June 1, 2006 their "DBE Annual Submittal Form" for FFY Oct 1, 2006/Sept 30, 2007. It is important that local**



**agencies meet this deadline so that the information is available for use in determining the California DBE Statewide Overall Goal and for the disparity study that Caltrans will be conducting. Due to the importance of local agencies meeting this critical deadline, Authorizations to Proceed on subsequent projects will be suspended for any local agency not meeting this deadline by June 15, 2006.**

### **June 15, 2006**

- (1) Deadline for the DLAE to enter each local agency's submitted Annual Anticipated DBE Participation Level and the local agency's estimated project costs (total cost for all of the federal-aid projects), etc. into LP2000 for future downloading by Civil Rights for the calculation of the Annual California DBE Statewide Overall Goal.
- (2) Caltrans begins 45 day Public Participation Process of the Annual California DBE Statewide Overall Goal. An adjustment of the time schedule may be needed in 2007 to ensure sufficient lead time to capture and use 2007 local agency annual DBE data. A local agency may, if it so chooses, initiate a separate 45 day Public Participation Process of the local agency's own Annual Anticipated DBE Participation Level and supporting methodology.

### **July 1, 2006**

Deadline for the DLAE to complete the review and approval/disapproval of each local agency's "Race-neutral Implementation Agreement" and "DBE Annual Submittal Form" for FFY 2006/2007. If disapproved, the local agency needs to be notified by this date with the reasons for disapproval and the corrective action needed. If the corrective action results in a local agency revising its Annual Anticipated DBE Participation Level, then the revised data should be entered by the DLAE into LP2000.

### **August 1, 2006**

The Caltrans Public Participation Process of the California DBE Statewide Overall Goal ends.

### **September 1, 2006**

Caltrans Civil Rights submits the California DBE Statewide Overall Goal to FHWA for review and approval. Caltrans Civil Rights coordinates with FHWA regarding any questions or additional information needed by FHWA for approval.

### **September 15, 2006**

Caltrans receives approval of the California DBE Statewide Overall Goal for FFY2006/2007 from FHWA.

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## CMP - Land Use Analysis Program (until April 2006)

Index #	Jurisdiction	TIER I Review Category (GPA/NOP/EIR)	Development Title	APPLN NUMBER	STATUS (Exempt/ Tier I)	CMA Response Date	Comments
<b>Land Use Related Projects</b>							
1	Alameda	NOP/DEIR	Alameda Point Golf Course	NA	Tier 1	7/9/2001 9/15/2004 5/19/2005	Sep 2004 - Comments on the DEIR regarding trip generation and accessibility. Final EIR being prepared.
2	Alameda	GPA/NOP/DEIR	Northern Waterfront GPA, Del Monte Adaptive Reuse Project, and Grand Marina Mixed Use Project	NA	Tier 1	11/18/2002 1/7/2004 3/30/2006	DEIR is only for Northern Waterfront. Grand Marina project has been moved to a separate Negative Declaration. The Del Monte Project is no longer part of EIR, due to change in project description.
3	Alameda	GPA	Harbor Bay Village VI	GPA04-0002	Tier 1 Exempt	5/17/2005	
4	Alameda	NOP/FEIR	Towne Center Development	NA	Tier 1	2/16/2006	
5	Alameda	NOP/FEIR	Alameda Landing Mixed Use	NA	Tier 1	2/21/2006	
6	Alameda County	NOP/FEIR	Law Enforcement Complex (LEC) and Animal Shelter at 2700 & 2100 Fairmont Dr	NA	Tier 1 Exempt	5/18/2004 6/21/2004	EIR completed. Board decision expected in June.
7	Alameda County	DEIR	LA Vista Quarry Mining Permit Extension Project	NA	Tier 1 Exempt	10/13/2004	Possible annexation by City of Hayward.
8	Berkeley	NOP/DEIR	Mix Residential Proj at 700 University Ave.	NA	Tier	9/28/2005	
9	Berkeley	NOP	City of Berkeley Draft Southside Plan	NA	Tier 1	12/6/2004	DEIR being prepared as of Sep 2005
10	Berkeley	GPA/NOP DEIR	West Berkeley Bowl project at 920 Heinz Ave.	NA	Tier 1	2/8/2005 8/11/2005 11/18/2005 4/20/2006	
11	Berkeley	GPA	Gilman Street Playing Fields	NA	Tier 1 Exempt	7/12/2005	Scheduled for City Council consideration on Sep 27, 2005
12	Bureau of Indian Affairs	NOI	Lower Lake Rancheria Casino near Oakland Airport	NA	Tier 1	12/13/2005	
13	Dublin	GPA	Dublin Land Co.	Resolution 50-03	Tier 1		Initiated March 2003. No CEQA document yet.
14	Dublin	GPA	Scarlett Court Specific Plan	03-063	Tier 1		Initiated on 03/03. No CEQA yet.
15	Dublin	NOP/DSEIR	Fallon Village Development	NA	Tier 1	7/1/2005 10/5/2005	
16	Dublin	NOP/DSEIR	Moller Ranch Reorg and Development	NA	Tier 1	6/29/2005	
17	Dublin	GPA	Parks RPTA	03-015	Tier 1		Proejct development in process. No CEQA process yet.

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Index #	Jurisdiction	TIER I Review Category (GPA/NOP/EIR)	Development Title	APPLN NUMBER	STATUS (Exempt/ Tier I)	CMA Response Date	Comments
18	Emeryville	GPA	Park Avenue District	NA	Tier 1	7/6/2001	Initial Study being prepared
19	Emeryville	NOP/DEIR	Sherwin-Williams Emeryville Site Redevelopment Project	NA	Tier 1	1/12/2005	EIR being prepared.
20	Emeryville	GPA	Bike and Ped Circulation Plan	NA	Tier 1 Exempt	3/30/2005	Part of current general plan update process
21	Emeryville	NOP	South Bay Front Bay Street Development	NA	Tier 1	11/17/2005	
22	Emeryville	NOP/DEIR	Market Place Redevelopment	NA	Tier 1	12/14/2005	
23	Emeryville	NOP/DEIR	General Plan Update	NA	Tier 2	2/9/2006	
24	Fremont	GPA	Central Park Knoll	PLN2003-208	Tier 1 Exempt		
25	Fremont	GPA	City of Fremont Fire Station # 8	PLN2004 - 00049	Tier 1 Exempt	11/4/2004	
26	Fremont	GPA	Geotechnical Studies in Hillside Areas	PLN2004 - 00069	Tier 1 Exempt	11/4/2004	
27	Fremont	GPA	Housing Element Implementation Rezoning for Programs #22 and # 23	PLN # - see comments column	Tier 1 Exempt	11/4/2004	PLNs 2004-00077, 2004-00079, 2004-00080 and 2004-00081.
28	Fremont	GPA	Tri-City Sports and Patio World General Plan Amendment and Rezoning	PLN2004- 000092	Tier 1 Exempt	11/4/2004	
29	Fremont	GPA	Walnut/Mission GPA & PD	PLN2003 - 00176	Tier 1 Exempt	11/4/2004	
30	Fremont	GPA	Washington Blvd. Project	PLN2003- 00282	Tier 1 Exempt	11/4/2004	
31	Fremont	GPA	MARLAIS GPA- MISSION	PLN2002-00100	Tier 1 Exempt	11/4/2004	
32	Fremont	GPA	Housing Element Implementation Program # 21	PLN # - see comments column	Tier 1 Exempt	11/4/2004	PLN2004-00251, PLN2004-00272, PLN2004- 00273, PLN2004-00274, PLN2004-00275.
33	Fremont	GPA	Housing Element Implementation Program # 19	PLN # - see comments column	Tier 1 Exempt	11/4/2004	PLN2004-00112, PLN2004-00279, PLN2004- 00280.
34	Fremont	GPA	Housing Element Implementation Program # 18	PLN # - see comments column	Tier 1 Exempt	11/4/2004	PLN2004-00265, PLN2004-00266, PLN2004- 00267, PLN2004-00268, PLN2004-00269, PLN2004- 00270.
35	Fremont	GPA	Health and Safety Element Update for Fire Department Response Time Standards	PLN2004-00290	Tier 1 Exempt	11/4/2004	

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Index #	Jurisdiction	TIER I Review Category (GPA/NOP/EIR)	Development Title	APPLN NUMBER	STATUS (Exempt/ Tier I)	CMA Response Date	Comments
36	Fremont	GPA	City of Fremont 2002 Hill Area Initiative Implementation	PLN2004-00030	Tier 1 Exempt	11/4/2004	
37	Fremont	GPA	Grimmer Residence GPA	PLN2005-00016	Tier 1 Exempt	11/4/2004	
38	Fremont	GPA	Housing Element Implementation Program # 21	PLN # - see comments column	Tier 1 Exempt	3/10/2005	PLNs 2004-00274
39	Fremont	GPA	Hill Area Initiative Implementation	PLN 2004-00030	Tier 1 Exempt	3/10/2005	
40	Fremont	GPA	Fire Station # 6	PLN 2005-00051	Tier 1 Exempt	3/10/2005	
41	Fremont	GPA	Atria Townhomes GPA and Rezoning	PLN-2004-00177	Tier 1 Exempt	2/28/2005	
42	Fremont	GPA	Density Bonus	PLN2005-00151	Tier 1 Exempt	2/28/2005	
43	Fremont	GPA	Shinn Historical Park and Arboretum project	PLN2003-00068	Tier 1 Exempt	3/30/2005	
44	Fremont	GPA	Housing Element Implementation Program # 18 & 21	See Comments	Tier 1	5/23/2005	(PLNs 2005-00080, 2005-000217, 2005-000215, and 2005-00076). Future proposals on Site # 3 are to be sent for CMA review.
45	Fremont	GPA/NOP	Globe-internationally themed retail, restaurant and entertainment destination project	NA	Tier 1	5/26/2005 11/21/2005	
46	Fremont	GPA	Housing Element # 21	PLN 2005-00275	Tier 1 Exempt	6/1/2005	
47	Fremont	GPA	Housing Element - Automall Commons	PLN 2005-00167	Tier 1 Exempt	6/1/2005	
48	Fremont	GPA	Canyon Heights	PLN 2005-00234	Tier 1 Exempt	6/1/2005	
49	Fremont	GPA	Dusterburry Townhomes Development	PLN 2005-00232	Tier 1 Exempt	6/1/2005	
50	Fremont	GPA	Bicycle Master Plan	NA	Tier 1 Exempt	8/17/2005	
51	Hayward	GPA	Eden Shores Estate	PL-2004-0184	Tier 1 Exempt	6-Jun-05	
52	Hayward	NOP/DEIR	South Hayward BART/Mission Area Plan	NA	Tier 1	13-Oct-05	

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53	Lawrence Berkeley National Lab	NOP/DEIR	Long Range Development Plan Update	NA	Tier 1	3/22/2002	
54	Livermore	GPA/NOP/DEIR	Seven Vines Project	NA	Tier 1 Exempt	5/17/2005	Draft EIR circulation delayed
55	Newark	NOP/DEIR	NewPark Mall Expansion Project		Tier 1		City Council Certified the FEIR on Feb 24, 2005.
56	Newark Ohlone Community College	NOP/DEIR	Ohlone College Newark Center for Technology & Health Sciences Master Plan	NA	Tier 1	10-Jun-04	
57	Oakland	NOP/DEIR	Skyline Ridge Estates	NA	Tier 1 Exempt	15-Jun-04	
58	Oakland	NOP/DEIR	Coliseum Gardens	ER3-0001	Tier 1	1/29/2003	
59	Oakland	NOP/DEIR DEIR	300 Harrison	ER00-39	Tier 1 Exempt	8/1/2001 10/30/2002	
60	Oakland	NOP/DEIR	West Oakland Project Area Redevelopment Plan	ER02-0014	Tier 1	7/30/2002	
61	Oakland	NOP/DEIR	Marks Building		Exempt	8/29/2003	
62	Oakland	NOP/DEIR	Sienna Hill Housing Project		Exempt	2/23/2004	
63	Oakland	GPA	Amend the GP from Business Mix to Housing & Business Mix for these properties and build 26 single family homes.	ER 03-002, GP03-023	Tier 1 Exempt	5/5/2005	
64	Oakland	GPA	Safety Element of the Oakland GP	NA	Exempt	5/5/2005	
65	Oakland	NOP/DEIR	Broadway and West Grand Mixed-Use Project	ER 03-0022	Tier 1	10/8/2004 4/2/2004	
66	Oakland	NOP/DEIR	Wood Street Project (Central Station)	NA	Tier 1	11/8/2004 7/20/2004 2/18/2004	
67	Oakland	NOP/DEIR	Arcadia Park Residential Project	ER05-3	Tier 1	5/4/2005 8/15/2005	
68	Oakland	NOP/DEIR	Kaiser Master Plan	NA	Tier 1	4/14/2006 4/11/2005	
69	Oakland	NOP/DEIR	Oak to Ninth mixed use	NA	Tier 1	7/20/2004 11/17/2005	
70	Oakland	GPA	Embarcadero Cove Mixed Use	NA	Tier 1 Exempt	4/13/2005	
71	Oakland	NOP/DEIR	Kennilworth Residential Development	NA	Tier 1 Exempt	8/29/2005	

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Index #	Jurisdiction	TIER I Review Category (GPA/NOP/EIR)	Development Title	APPLN NUMBER	STATUS (Exempt/ Tier I)	CMA Response Date	Comments
72	Oakland	NOP/DEIR	Bike Plan Update	NA	Tier 1 Exempt	9/28/2005	
73	Oakland	NOP/DEIR	12th Street Residential Project	NA	Tier 1	11/17/2005	
74	Oakland	NOP/DEIR	Gateway Project	NA	Tier 1	12/14/2005	
75	Oakland	NOP/DEIR	Oakland Army Base Auto Mall	NA	Tier 2	2/22/2006	
76	Oakland	NOP/DEIR	MacArthur TOD village	NA	Tier 3	3/16/2006	
77	Ohlone College	NOP/DEIR	Ohlone College Newark Center for Health Sciences and Technology	NA	Tier 1	11/8/2004	
78	Pleasanton	NOP/DEIR	Lund II		Tier 1	10/1/2003	
79	Pleasanton	NOP/DEIR	PUD- Charter Properties Exempt	PUD-33	Exempt	1/21/2004	
80	Pleasanton	GPA	Sportorno Ranch project	NA	Tier 1 Exempt	3/29/2005	
81	Pleasanton	NOP/DEIR	Bernal Property Ph II	NA	Tier 1 Exempt	9/21/2005	
82	Pleasanton	NOP/DEIR	Pleasanton General Plan Update	NA	Tier 1	3/23/2006 1/26/2006	
83	Port of Oakland	NOP/SEIR DSEIR	Airport Development Program	NA	Exempt	1/29/2003 7/11/2003	
84	San Francisco BCDC	Bay Plan Amendment	San Francisco Bay Plan Update	NA	Exempt	8/29/2005	
85	San Leandro	GPA	9-unit residential development	PLN2005 - 00049	Tier 1 Exempt	7/13/2005	
86	San Joaquin COG	NOP/DEIR	San Joaquin TIP Measure K	NA	Exempt	3/20/2006 12/12/2005	
87	UC Berkeley	NOP/EIR	UC Berkeley LRDP& Chang-Lin-Tien Center	NA	Tier 1	6/18/2004 9/26/2003	
88	UC Berkeley	GPA SFDEIR	University Village NW Master Plan Amendments	18132A	Tier 1	3/17/2004 6/12/2003	
89	UC Berkeley	NOP/FEIR	Southwest Campus Integrated Project	NA	Tier 1	12/12/2005	
90	Union City	NOP/DEIR	Union City Intermodal Station Passenger Rail Project later partial revision of DEIR	NA	Tier 1/ Exempt	6/9/2005 4/2/2004 9/25/2003 11/15/2005	Exempt because there is no proposed alterations to traffic, and no changes in land use. Partial revision is not related to transportation component
91	Union City	NOP/DEIR	Avalon Bay TOD project	NA	Tier 1 Exempt	10/13/2005 11/3/2005	
92	Union City	GPA	Alvarado Blvd.	NA	Tier 1 Exempt	12/12/2005	



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Index #	Jurisdiction	TIER I Review Category (GPA/NOP/EIR)	Development Title	APPLN NUMBER	STATUS (Exempt/ Tier I)	CMA Response Date	Comments
<b>Transportation Improvement Projects</b>							
1	AC Transit	NOP/EIR/EIS NI/EIS	East Bay BRT	NA	Comments	6/24/2003 3/16/2004	Suggested to assess the impact of removing one lane for a dedicated guideway. Informed that if existing LOS worsens to F on a CMP roadway, it may trigger deficiency plan requirements.
2	BART	NOP/DSEIR DEIR	BART Warm Springs Extension	NA	Comments	3/27/2002 5/7/2002	
3	Caltrans	NOP/DEIR	Caldecott Improvement	NA	Comments	1/31/2003	
4	High Speed Rail Authority	NOP/DEIR/FEIR	High Speed Rail Train to San Francisco Bay Area	NA	Comments	5/21/2001 5/11/2004	Commented that this project is not currently in the CWTP, supporting an East Bay alignment, and requesting that impacts to the MTS be addressed.
5	San Francisco	NOP/DEIR	2001 Transbay Terminal	2000.048 E	Comments	4/18/2001	Comments submitted requesting that the impacts to AC Transit be analyzed and mitigated.
6	SCVTA	NOP/EIR/EIS NOP/DEIR	BART to Santa Clara County	NA	Comments	5/20/2004 2/25/2003 2/7/2002	Requested that MTS impacts be evaluated as well as station access and parking impacts at the Union City, Fremont, Dublin-Pleasanton and proposed Warm Springs stations.
7	Water Transit Authority	DPEIR FEIR	Implementation and Operations Plan-Expansion of Ferry Service	NA	Comments	7/9/2003 10/30/2002 5/16/2002	Requested clarification on how the proposed ferry system reduces congestion, what mitigation is proposed to make up for revenue losses to existing transit services, cost effectiveness for WTS alternative 1 and net new riders, the cost effectiveness of mitigation, local impacts resulting from terminal development, funding of terminal construction and air quality resulting from cold starts at terminals.
8	Water Transit Authority	NOP/DEIR/EIS	South San Francisco Ferry Terminal Project	NA	Comments	01/20/05	

Note:

*No comments* means there were no comments to make or, in the case of a DEIR or FEIR, previous ACCMA comments were responded to.

*Tier I* refers to GPA and NOP for EIR for projects consistent with the general plan.

*Exempt* refers to the development proposals that does not exceed the threshold of generating 100 p.m. peak-hour trips, as determined

by the CMA, more than the adopted general plan land-use designation for GPAs or more than existing uses for projects consistent with the general plan..